

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

FORTY-FIRST DAY'S PROCEEDINGS

Twenty-ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, June 12, 2003

The House of Representatives was called to order at 1:30 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker

Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Total—104		

ABSENT

Doerge
Total—1

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Dr. David Holder.

Pledge of Allegiance

Rep. Crowe led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Beard, and under a suspension of the rules, the Journal of June 10, 2003, was corrected to reflect him as voting yea on final passage of House Bill No. 1313.

On motion of Rep. Frith, the Journal of June 11, 2003, was adopted.

Petitions, Memorials and
Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE BILLS

June 11, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 10
Returned without amendments.

House Bill No. 139
Returned without amendments.

House Bill No. 206
Returned with amendments.

House Bill No. 334
Returned with amendments.

House Bill No. 484
Returned without amendments.

House Bill No. 531
Returned with amendments.

Page 2 HOUSE

41st Day's Proceedings - June 12, 2003

House Bill No. 599
Returned with amendments.

House Bill No. 877
Returned without amendments.

House Bill No. 886
Returned without amendments.

House Bill No. 965
Returned without amendments.

House Bill No. 981
Returned without amendments.

House Bill No. 1089
Returned without amendments.

House Bill No. 1091
Returned with amendments.

House Bill No. 1118
Returned with amendments.

House Bill No. 1228
Returned with amendments.

House Bill No. 1315
Returned without amendments.

House Bill No. 1333
Returned without amendments.

House Bill No. 1343
Returned without amendments.

House Bill No. 1373
Returned without amendments.

House Bill No. 1374
Returned without amendments.

House Bill No. 1377
Returned with amendments.

House Bill No. 1448
Returned with amendments.

House Bill No. 1543
Returned without amendments.

House Bill No. 1544
Returned without amendments.

House Bill No. 1582
Returned with amendments.

House Bill No. 1592
Returned without amendments.

House Bill No. 1614
Returned with amendments.

House Bill No. 1634
Returned without amendments.

House Bill No. 1637
Returned without amendments.

House Bill No. 1640
Returned without amendments.

House Bill No. 1667
Returned without amendments.

House Bill No. 1669
Returned with amendments.

House Bill No. 1851
Returned without amendments.

House Bill No. 1905
Returned without amendments.

House Bill No. 1944
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 12, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 91

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 239— BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To create the Louisiana Dairy Industry Task Force to study issues affecting fair milk prices and to make recommendations to the legislature.

Read by title.

Under the rules, the above resolution was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 1064—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 13:2488.62(E), relative to the City Court of Plaquemine; to authorize the court to assess a fee to be used for substance abuse treatment; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

**House Bills and Joint Resolutions on
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 670—

BY REPRESENTATIVE DANIEL

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to intergovernmental relations; to create the Trust Fund for the Elderly within the state treasury; to provide for deposit of monies into the fund; to provide for investment and uses of monies in the fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 691—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 22:1021 and 1023, relative to foreign and alien insurers; to provide for deposit and bond requirement; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Hebert, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 74—

BY SENATORS SCHEDLER AND MOUNT

A CONCURRENT RESOLUTION

To suspend until January 1, 2004 certain provisions of R.S. 39:127, relative to the authority of the commissioner of administration to allocate, sell, transfer, and reallocate buildings and vacated spaces.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Concurrent Resolution No. 74 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, change "January 1" to "January 15"

AMENDMENT NO. 2

On page 1, line 3, after "of the" delete the remainder of the line and delete line 4 and insert:

"division of administration to reallocate certain space vacated by a state agency"

AMENDMENT NO. 3

On page 1, line 13, after "to the" delete the remainder of the line and delete line 14 and insert:

"authority of the division of administration to reallocate space for health care, educational, or correctional institutions which has been vacated by any state agency, whether an entire building or institution or a portion thereof."

AMENDMENT NO. 4

On page 2, line 1, change "January 1" to "January 15"

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the resolution, as amended, was ordered passed to its third reading.

SENATE BILL NO. 21—

BY SENATOR CAIN AND REPRESENTATIVE ILES

AN ACT

To amend and reenact R.S. 47:302.5, 322.19, and 332.3, relative to the Vernon Parish Community Improvement Fund; to provide for the appropriation, administration, distribution, and use of money in the fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 21 by Senator Cain

AMENDMENT NO. 1

On page 2, line 21, after "shall be" delete the remainder of the line

AMENDMENT NO. 2

On page 2, at the beginning of line 22, delete "shall be"

Page 4 HOUSE

41st Day's Proceedings - June 12, 2003

AMENDMENT NO. 3

On page 3, line 11, after "more than" and before "percent" change "twenty" to "five"

AMENDMENT NO. 4

On page 3, line 18, after "than" and before "percent" change "twenty" to "five"

AMENDMENT NO. 5

On page 3, at the beginning of line 25, change "twenty" to "five"

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 120—

BY SENATOR LENTINI AND REPRESENTATIVES ANSARDI AND DAMICO
AN ACT

To amend and reenact R.S. 38:2216(L), relative to public contracts; to provide for circumstances in which a contractor must reimburse a design professional for additional costs for inspections of the contracted project; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 133—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 38:2251(K) and R.S. 39:1595(J), relative to public contracts; to provide for preferences for certain clay products; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 147—

BY SENATOR SMITH AND REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to forestry products; to provide an exception for treated wood poles and piling from preferences for products produced or manufactured in Louisiana; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 151—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 13:5108.1(E)(1)(c) and (3)(b) relative to justices of the peace and constables; to provide that justices of the peace and certain constables be indemnified by the state against certain claims or demands seeking damages; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 227—

BY SENATOR HOLLIS

AN ACT

To enact R.S. 42:851(A)(7), relative to group insurance; to prohibit the state from increasing an employees portion of the total insurance premium to cover deficits; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 255—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Art. 2031, relative to revival of judgments; to provide for the revival of money judgments by ex parte motion; to remove the requirement of serving the judgment debtor; to provide that notice of signing of the judgment of revival be sent to the debtor; to provide for attorney's fees; to provide for annulment of a judgment revived by fraud or in error; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 255 by Senator Dardenne

AMENDMENT NO. 1

On page 2, at the end of line 21, add the following:

"If the judgment debtor proves that the judgment has been satisfied prior to the filing of the motion to revive the judgment, the holder or owner of the judgment shall pay all court costs, fees, and attorney fees incurred by the judgment debtor in opposing the ex parte order of revival and the cancellation of the judgment from the mortgage records."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 314—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 39:198(D)(3), relative to contracts for fiscal intermediary services in processing claims of health care providers; to provide for modification of the initial term of fiscal intermediary contracts; to provide for the option to extend a fiscal intermediary contract for successive twelve-month terms; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 314 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "39:198(D)(3)" and before the comma ",", insert "and 1514(A)(1)(b)"

AMENDMENT NO. 2

On page 1, line 9, after "39:198(D)(3)" delete "is" and insert "and 1514(A)(1)(b) are"

AMENDMENT NO. 3

On page 2, after line 15, insert the following:

"§1514. Multiyear contracts

A.(1) Unless otherwise provided in the statutes making appropriations therefor, a contract for professional, personal, consulting, or social services may be entered into for periods of not more than three years, except that:

* * *

(b) ~~Contracts or amendments to existing contracts as provided for in R.S. 39:198(D) may be entered into for periods of up to ten years.~~ Contracts for electronic benefits issuance system services as required under R.S. 46:450.1 may be entered into for periods of up to six years.

* * *

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 323—

BY SENATORS LENTINI, BOISSIERE, CAIN, DARDENNE, ELLINGTON, HEITMEIER, HOLLIS AND SCHEDLER AND ULLO

AN ACT

To amend and reenact R.S. 48:279, relative to highways; to provide relative to non-peak hours construction and maintenance work on limited access highways; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 349—

BY SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 49:308(E)(2)(d) and (e), relative to the deposit of state funds; to exempt the Board of Supervisors of Community and Technical Colleges and its institutions from the requirement of depositing all funds into the state treasury; to make technical changes relative to certain exempt postsecondary entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 359—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 39:1572(B)(4) and to enact R.S. 39:1572(B)(7), relative to central purchasing; to exempt the Louisiana Community and Technical College System from the requirement to conduct procurement through the central purchasing agency; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Page 6 HOUSE

41st Day's Proceedings - June 12, 2003

SENATE BILL NO. 382—

BY SENATORS SCHEDLER AND BAJOIE
AN ACT

To enact Chapter 8-A of Title 46 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:978 and 979, relative to health care for the low-income uninsured; to provide for expanding coverage to certain low-income uninsured through Medicaid program waivers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 382 by Senators Schedler and Bajoie

AMENDMENT NO. 1

On page 2, at the beginning of line 9, insert "A."

AMENDMENT NO. 2

On page 2, line 12, after "initiative" and after the period "." delete the remainder of the line and delete lines 13 through 15 in their entirety and insert the following:

"B. Upon completion of the waiver application, the department shall submit the waiver plan, including cost estimates for a minimum of three years to the Joint Legislative Committee on the Budget for its review and approval. If the plan is approved by the committee, the department shall submit the waiver application to the Center for Medicare and Medicaid Services for approval.

C. Upon approval of the waiver application by the Center for Medicare and Medicaid Services, the department may implement the waiver only to the extent that appropriations to the department specifically include funds for this purpose.

D. The department shall adopt and promulgate rules and regulations in accordance with the Administrative Procedure Act that provide for maximizing Medicaid funding and rates for those hospitals that provide either of the following:

(1). Inpatient services to fragile newborns or critically ill children in either a Level III Regional Neonatal Intensive Care Unit or a Level I Pediatric Intensive Care Unit, which units have been in operation on or before January 1, 2003.

(2). A Medicaid utilization rate of twenty-five percent of total inpatient days or greater."

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 505—

BY SENATOR DARDENNE AND REPRESENTATIVE LEBLANC
AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(h), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 572—

BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to health care records; to provide that the cost limitation shall apply to any party to pending litigation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 572 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 4, after "litigation;" and before "and to" insert "to provide with respect to the maximum costs for providing such services;"

AMENDMENT NO. 2

On page 2, at the end of line 6, after "hospitals" add a comma ","

AMENDMENT NO. 3

On page 2, delete line 7, and insert "nursing homes, and for other health"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 583—

BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact the introductory paragraph of R.S. 2:654(B) and 654(C), (F), (H)(3), and (J), and to enact R.S. 2:654(B)(14) and (15), relative to the Louisiana Airport Authority; to provide for

representation from certain parishes on the board of commissioners; to provide for the term of office of each new member; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 583 by Senator Marionneau

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 in its entirety and insert the following:

"R.S. 2:653(A) and 654(B)(introductory paragraph), (1), and (9), (H)(introductory paragraph) and (2), and (J) and to enact R.S. 2:654(B)(14), (15), and (16) and (H)(4) through (8),"

AMENDMENT NO. 2

On page 1, line 4, after "Authority;" insert "to provide relative to the territorial boundaries of the such authority;"

AMENDMENT NO. 3

On page 1, line 6, after "member;" insert "to provide relative to the quorum for the board of commissioners;"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana."

AMENDMENT NO. 5

On page 1, line 9, after "Section 1." delete the remainder of the line and delete lines 10 through 15 in their entirety, delete pages 2 and 3 in their entirety, and on page 4, delete lines 1 through 17 in their entirety and insert the following:

"R.S. 2:653(A) and 654(B)(introductory paragraph), (1), and (9), (H)(introductory paragraph) and (2), and (J) are hereby amended and reenacted and R.S. 2:654(B)(14), (15), and (16) and (H)(4) through (8) are hereby enacted to read as follows:

§653. Creation of authority; jurisdiction

A. The Louisiana Airport Authority is hereby created as a body politic and corporate and a political subdivision of the state. The authority shall exercise such powers and duties as herein specified or as necessary or convenient to carry out its purposes. The boundaries of the authority shall be co-extensive with the territorial boundaries of Ascension Parish, Jefferson Parish, Orleans Parish, St. Bernard Parish, St. Charles Parish, St. James Parish, St. John the Baptist Parish, St. Tammany Parish, Assumption Parish, East Baton Rouge Parish, Iberville Parish, Livingston Parish, and Tangipahoa Parish, and West Baton Rouge Parish.

* * *

§654. Board of Commissioners; creation; membership; terms; officers; meetings

* * *

B. The board shall be comprised of ~~twenty~~ twenty-seven voting members appointed as follows:

(1) ~~One member~~ Three members shall be appointed by the governor from a list of three names submitted by the members of the legislature representing Ascension Parish.

* * *

(9) ~~One member~~ Two members shall be appointed by the governor from a list of three names submitted by the members of the legislature representing Assumption Parish.

* * *

R.S. 2:654(B)(14) is all proposed new law.

(14) Two members shall be appointed by the governor from a list of three names submitted by the members of the legislature representing Iberville Parish.

R.S. 2:654(B)(15) is all proposed new law.

(15) One member shall be appointed by the governor from a list of three names submitted by the members of the legislature representing parishes included in the Fourth U.S. Congressional District as defined by R.S. 18:1276.

R.S. 2:654(B)(16) is all proposed new law.

(16) One member shall be appointed by the governor from a list of three names submitted by the members of the legislature representing West Baton Rouge Parish.

* * *

H. The six at-large members of the board shall serve terms concurrent with that of the appointing governor. The remaining members of the board shall serve staggered terms as provided below and may be appointed to serve not more than ~~two~~ three consecutive and complete terms. The initial terms of office shall be as follows, with all subsequent terms to be for six years:

* * *

(2) Each member from ~~Ascension~~, St. Bernard and St. Tammany parishes shall be appointed to a four-calendar-year term.

* * *

R.S. 2:654(H)(4) is all propose new law.

(4) The member from Iberville Parish shall be appointed to a four-calendar-year term.

R.S. 2:654(H)(5) is all proposed new law.

(5) The member representing the Fourth U.S. Congressional District shall be appointed to a two-calendar-year term.

R.S. 2:654(H)(6) is all proposed new law.

Page 8 HOUSE

41st Day's Proceedings - June 12, 2003

(6) Each member representing Ascension Parish shall be appointed to a six-calendar-year term.

R.S. 2:654(H)(7) is all proposed new law.

(7) The member representing West Baton Rouge Parish shall be appointed to a six-calendar-year term.

R.S. 2:654(H)(8) is all proposed new law.

(8) Notwithstanding the provisions of Paragraph (1) of this Subsection, the initial term for any member representing Assumption Parish appointed pursuant to the Act which originated as Senate Bill 583 of the 2003 Regular Session shall be a six-calendar-year term.

* * *

J. The board shall hold regular monthly meetings and may hold additional meetings as it deems necessary. A board member who fails to attend three consecutive meetings, or four or more meetings in a one-year period, shall automatically be recommended by the board to the appropriate appointing authority for removal, and, upon removal, a vacancy in that position shall be declared and filled as provided herein. All meetings of the board and all minutes and records thereof shall be subject to the Open Meetings Law and the Public Records Act. ~~Eleven~~ A majority of the members of the board shall constitute a quorum, and such quorum shall be required for the transaction of all business of the board. Action by the authority shall require an affirmative vote of a majority of the members present."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 607—

BY SENATORS HOLDEN, IRONS AND MOUNT
AN ACT

To enact Chapter 20-H of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3050.1 through 3050.4, relative to establishment of the Grant Opportunity for Youth Challenge Skill Training; to establish a program of tuition assistance for skill and occupational training at a public postsecondary institution for students who graduate from the Louisiana National Guard's Youth Challenge Program and earn a general education diploma; to provide for program eligibility and award limits; to provide continuation requirements for continued payments; to provide for administration of the program; to provide for funding; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 607 by Senators Holden, Irons, and Mount

AMENDMENT NO. 1

On page 1, line 6, after "at a" and before "postsecondary" delete "public"

AMENDMENT NO. 2

On page 2, line 9, after "tuition at" and before "postsecondary" change "a Louisiana public" to "an eligible Louisiana"

AMENDMENT NO. 3

On page 2, at the beginning of line 13, change "A." to "A.(1)"

AMENDMENT NO. 4

On page 2, line 20, after "degree" insert a period "." and delete the remainder of the line, and delete line 21 in its entirety and insert the following:

"(2) The state shall award a grant in an amount determined by the administering agency to be equal to the average grant amount paid under this Section for students attending a public postsecondary institution to any student who enrolls on a full-time basis at a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities to pursue skill or occupational training, including a vocational technical education certificate or diploma or a nonacademic undergraduate degree.

(3) To be eligible for a grant as provided for in this Section, a student must meet all of the following qualifications and all other applicable qualifications of this Chapter."

AMENDMENT NO. 5

On page 2, at the beginning of line 22, change "(1)" to "(a)"

AMENDMENT NO. 6

On page 2, line 24, after "at" and before "postsecondary" change "a public" to "an eligible"

AMENDMENT NO. 7

On page 2, at the beginning of line 25, change "(2)" to "(b)"

AMENDMENT NO. 8

On page 3, line 2, after "eligible" and before "postsecondary" delete "public"

AMENDMENT NO. 9

On page 3, line 7, after "eligible" and before "postsecondary" delete "public"

AMENDMENT NO. 10

On page 3, at the beginning of line 11, change "(3)" to "(c)"

AMENDMENT NO. 11

On page 4, at the beginning of line 14, change "D." to "C."

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 646—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 38:2211(A)(6) and 2212(D)(1), relative to public contracts; to provide for an exception to the formal bid process in the event of an extreme public emergency; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 688—
BY SENATOR ULLO

AN ACT

To enact R.S. 38:2211(A)(13) and 2212(A)(1)(f), relative to public contracts; to provide for the acceptance of bids via electronic medium; to authorize political subdivisions to accept bids for public works via certain secure electronic interactive environment; to provide for definitions; to provide for exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 688 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 6, delete "to provide for exceptions;" and insert in lieu thereof the following:

"to provide for development of standards for a secure electronic interactive medium;"

AMENDMENT NO. 2

On page 2, delete lines 11 through 26 in their entirety and insert in lieu thereof the following:

"(f)(i) Beginning January 1, 2005, bids for public works contracts may be submitted to political subdivisions through a uniform and secure electronic interactive environment as provided in this Paragraph. If a political subdivision elects to accept bids by this electronic medium, any special condition or requirement for the submission shall be specified in the advertisement for bids required by this Section. If bids are to be accepted electronically, the advertisement required in this Section shall contain the electronic address of the public entity and shall establish the specific times for public access to the electronic interactive environment for purposes of submission of bids.

(ii) The Louisiana Advisory Commission on Intergovernmental Relations, with the advice and assistance of the chief information officer, in the office of information technology, shall develop uniform standards to be utilized by political subdivisions for the receipt of bids electronically and for a secure electronic interactive environment. In

developing these standards, the commission shall receive recommendations and information from contractors and construction interest groups, including but not limited to, the Louisiana Association of General Contractors and the Associated Builders and Contractors. Once developed by the commission, the standards shall be promulgated by the chief information officer."

AMENDMENT NO. 3

On page 3, delete lines 1 and 2 in their entirety.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 704—
BY SENATOR IRONS

AN ACT

To enact Part V-A of Chapter 3 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:583, relative to housing; to create the Housing Development Trust Fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 749—BY SENATOR HAINKEL AND REPRESENTATIVE HEATON
AN ACT

To enact R.S. 25:318, relative to development funding for the arts and entertainment industry; to create the Louisiana Arts and Entertainment Industry Development Fund as a special fund in the state treasury and to provide for the deposit of certain monies into the fund; to provide for its investment and use; to provide for duties and authorities of the Louisiana Economic Development Corporation; to establish and provide with respect to a program for development and promotion of certain music enterprises; to provide for rulemaking; to provide funding qualification requirements; to provide for annual reports; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Page 10 HOUSE

41st Day's Proceedings - June 12, 2003

SENATE BILL NO. 802— BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:315.14, relative to child support; to provide an exception to the mandatory minimum payment in certain cases; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 802 by Senator Smith

AMENDMENT NO. 1

On page 1, line 13, delete "less" and insert "not less than forty dollars and not more"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 840— BY SENATOR JOHNSON

AN ACT

To enact R.S. 9:1123.115.1, relative to condominiums; to provide for the collection of utilities by local governmental entities; to authorize certain sales involving abandoned units; to authorize certain donations of abandoned or blighted property units by municipalities or parishes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 844— BY SENATOR ELLINGTON

AN ACT

To enact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 844 by Senator Ellington

AMENDMENT NO. 1

On page 1, delete lines 11 through 15 in their entirety and insert the following:

"include, in the valuation of a community commercial business, the goodwill of the business. Goodwill shall not be included in the valuation of a business when goodwill results solely from the identity, reputation, or qualifications of the owner or from his relationship with customers of the business."

AMENDMENT NO. 2

On page 2, delete lines 1 through 3 in their entirety

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 975— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 9:355.1(2), 355.3(B) and (C), 355.7 and 355.8(A), and to enact R.S. 9:355.4(B)(7), relative to child custody; to provide requirements for parents prior to relocation of a child; to provide for a time period in which a parent may object to the relocation of a child; to provide for parents with equal or shared custody; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 983— BY SENATOR DARDENNE

AN ACT

To amend and reenact Children's Code Art. 1015(3); relative to termination of parental rights; to provide for the termination of parental rights of parents who have been convicted of sexually abusing their children; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 997—BY SENATORS SCHEDLER AND HAINKEL
AN ACT

To amend and reenact R.S. 39:11(A) and R.S. 39:127(C), relative to the transfer and reallocation of space in state owned buildings or premises leased by the state; to provide with regard to the authority of the commissioner of administration and the division of administration; to provide for prior approval by the Joint Legislative Committee on the Budget; to provide for applicability and for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1011—BY SENATORS MICHOT AND SCHEDLER
AN ACT

To amend and reenact R.S. 39:1496.1(A) and (B) and to enact R.S. 39:1496.1(E), relative to performance based contracts; to provide for review, approval, and oversight of such contracts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 1011 by Senators Michot and Schedler

AMENDMENT NO. 1

On page 1, delete line 3 and insert "39:1496.1(E), relative to performance-based energy efficiency contracts; to provide for the award of such contracts; to provide for audit; to provide for"

AMENDMENT NO. 2

On page 1, line 10 after "agency" delete the remainder of the line, delete lines 11 through 15 and on page 2, delete lines 1 and 2 and insert:

"as defined in R.S. 39:2 ~~board, or commission~~ may enter into a performance-based energy efficiency contract for services and equipment as provided in this Section. The commissioner of administration shall adopt and promulgate rules and regulations necessary to implement the provisions of this Section, which rules shall be consistent with the Energy Management Act of 2001. Any such rules and regulations shall be adopted and promulgated only after consultation with the Department of Natural Resources and the review and approval of the Joint Legislative Committee on the Budget. To the extent possible and practical, such rules and regulations shall provide for participation by units of local government."

AMENDMENT NO. 3

On page 2, at the beginning of line 3, insert "B."

AMENDMENT NO. 4

On page 2, at the beginning of line 5, delete "B."

AMENDMENT NO. 5

On page 2, delete line 7 and insert "this Chapter and specifically the provisions of Subsection E of this Section."

AMENDMENT NO. 6

On page 2, delete lines 10 through 26 and on page 3, delete lines 1 through 6 and insert:

"E.(1) Prior to award of any performance-based energy efficiency contract, the response to the requests for proposals shall be evaluated as follows:

(a) The initial evaluation of the submitted proposals shall be conducted by the Department of Natural Resources. The Department of Natural Resources shall forward the results of its evaluation of such proposals to the commissioner of administration. The commissioner of administration shall select an independent third party evaluation consultant to review and evaluate the submitted proposals together with the evaluation of the Department of Natural Resources. The consultant shall submit the result of his evaluation to the commissioner of administration who shall review the initial evaluation by the Department of Natural Resources and the evaluation of the independent third party evaluation consultant. Upon completion of such review, the commissioner of administration shall notify the agency as to whether the contract has been approved or disapproved. If such contract is disapproved, the commissioner shall provide the reasons therefor in writing to the agency.

(b) An independent third party evaluation consultant shall have no present, contemplated, or future conflict of interest as to the agency, the proposals which the consultant is to evaluate, or to any proposer. Prior to the selection of such consultant, the legislative auditor shall certify that the consultant has no present, contemplated, or future conflict of interest as to the agency, the proposals which the consultant is to evaluate, or to any proposer.

(2) The legislative auditor shall conduct performance audits of performance-based energy efficiency contracts. The legislative auditor shall establish a schedule for execution of such performance audits, which schedule shall provide for periodic audits during the term of such contracts and for an audit upon the completion of any such contract. The results of any such performance audits shall be published no later than thirty days prior to the commencement of each Regular Session of the Legislature.

(3) In order to fund the cost of the review, approval, oversight, and performance audits as provided in this Section, the request for proposal for the award of a performance-based energy efficiency contract shall require the proposer to pay a sum not to exceed two and one-half percent of the total value of the performance-based energy efficiency contract. The determination of the sum to be paid shall be made by the commissioner of administration according to the rules and regulations adopted herein.

Section 2. The initial rules and regulations adopted pursuant to the Act shall be adopted no sooner than February 1, 2004 and no later than the convening of the 2004 Regular Session of the Legislature."

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered passed to its third reading.

Page 12 HOUSE

41st Day's Proceedings - June 12, 2003

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1024— BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:40.9(A), and to enact R.S. 56:10(B)(12), relative to the Conservation Fund; to create the enforcement emergency situation response account as a special account in the fund; to provide for the deposit of monies into the account and for the use of such monies for enforcement purposes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1028 (Substitute for Senate Bill No. 321 by Senator Lentini) — BY SENATOR LENTINI

AN ACT

To enact R.S. 33:2218.2(C)(8)(d), relative to law enforcement officers; to provide relative to supplemental pay for such persons; to provide for eligibility of certain elected police chiefs to receive such compensation; to provide for an effective date for the initiation of such compensation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1099— BY SENATOR DARDENNE

AN ACT

To enact R.S. 49:321.1, relative to state funds; to provide with respect to the authority of the treasurer to manage state funds; to authorize the reinvestment of cash collateral; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1111— BY SENATOR SCHEDLER

AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to public contracts; to provide that a preference be given to products printed in Louisiana; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1115— BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1856(E) and (F)(1)(a)(i) and 1857(B)(2) and Section 2 of Act No. 1149 of the 2001 Regular Session of the Legislature, relative to ad valorem property taxes paid under protest; to provide with regard to credits and refunds of ad valorem property taxes; to provide with regard to the use of certain tax funds; to provide for a special effective date and the application of the Act to certain payment; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hammett, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1121— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 47:1856(E) and 2110(A)(2), and Section 2 of Act No. 1149 of the 2001 Regular Session, relative to ad valorem property tax; to provide with respect to certain ad valorem taxes which are in dispute and payment of such taxes made under protest; to provide for notice in matters where the assessments of certain ad valorem taxes are in dispute and payment of such taxes is made under protest; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hammett, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1126— BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 51:2453(1)(a)(i)(cc), relative to the quality jobs program; to provide for the percentage of health insurance premium to be paid by the employer for certain employees in order to qualify under the "Louisiana Quality Jobs Program Act"; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 1126 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 20, after "than" and before "percent" delete "fifty" and insert "seventy"

AMENDMENT NO. 2

On page 3, line 10, after "than" and before "percent" delete "fifty" and insert "seventy"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**Senate Bills on Second Reading
Reported by Committee**

The following Senate Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

SENATE BILL NO. 326—
BY SENATOR BAJOE

AN ACT

To enact Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1445 through 1448, relative to child care workers; to provide a scholarship to child care workers who obtain child care training from programs approved by the Department of Social Services; to require the Department of Social Services to establish the amount of the scholarship to be paid; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Under the rules, the bill was recommitted to the Committee on Appropriations.

Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

HOUSE BILL NO. 1157—
BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 17:3997(F), relative to the Northwood Preparatory High School, to provide for duties of the State Board of Elementary and Secondary Education regarding the development, and administration of a claims process for former employees of the Northwood Preparatory High School to receive unpaid wages and benefits; to authorize and provide for the payment of certain claims; from certain monies provided to the Tangipahoa Parish School Board pursuant to cooperative endeavor with the state which monies may be used for payment of claims under certain circumstances; to provide for conditions for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Powell, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

HOUSE BILL NO. 1317—

BY REPRESENTATIVE BROOME

AN ACT

To enact R.S. 17:421.9, relative to public school speech-language pathologists and audiologists; to provide a salary supplement for certain public school speech-language pathologists and audiologists who have acquired certification by the American Speech-Language Hearing Association; to provide conditions and guidelines for receiving the supplement; to provide limitations; to provide procedures for payment of such supplement; to provide definitions; to provide for effectiveness; and to provide for related matters.

Read by title.

On motion of Rep. Broome, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

**House and House Concurrent Resolutions on
Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 190—
BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To suspend the provisions of Louisiana Code of Criminal Procedure Article 895.4 to the extent that those provisions authorize any chief of any law enforcement agency other than a sheriff or a chief of a municipal police department to certify any agency as a crime stopper organization for the purpose of receiving funds from the additional cost of court imposed by Code of Criminal Procedure Article 895.4.

Read by title.

Rep. Martiny sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Concurrent Resolution No. 190 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 3, after "provisions" delete the remainder of the line and delete lines 4 through 7 in their entirety and insert in lieu thereof the following:

"authorize any agency which is certified as a crime stopper organization by any chief of any law enforcement agency other than a sheriff or a chief of a municipal police department to receive any funds from the additional cost of court imposed by Code of Criminal Procedure Article 895.4 other than funds which are derived from the cases which are investigated, developed, and referred to prosecution by those agencies."

AMENDMENT NO. 2

On page 2, line 22, after "provisions" delete the remainder of the line and delete lines 23 through 25 in their entirety and insert in lieu thereof the following:

Page 14 HOUSE

41st Day's Proceedings - June 12, 2003

"authorize any agency which is certified as a crime stopper organization, for the purpose of receiving funds from the additional cost of court imposed by Code of Criminal Procedure Article 895.4, by any chief of any law enforcement agency other than a sheriff or a chief of a municipal police department to receive any funds from the additional cost of court imposed by Code of Criminal Procedure Article 895.4 other than funds which are derived from the cases which are investigated, developed, and referred to prosecution by those agencies."

On motion of Rep. Martiny, the amendments were adopted.

Rep. Martiny moved the adoption of the resolution, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Curtis	Jackson, M	Smith, J.R.—30th
Damico	Johns	Sneed
Daniel	Kennard	Stelly
Dartez	Kenney	Strain
Devillier	LaFleur	Swilling
Diez	Lancaster	Thompson
Downer	Landrieu	Toomy
Downs	Lucas	Townsend
Durand	Martiny	Triche
Erdey	McDonald	Tucker
Fannin	McVea	Waddell
Farrar	Montgomery	Walker
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wright
Fruge	Odinot	
Total—95		

NAYS

Total—0

ABSENT

Alexander	Katz	Walsworth
Bruce	LeBlanc	Wooton
Crowe	Morrell	
Doerge	Perkins	
Total—10		

The resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 194—

BY REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To create and provide for a task force to study the health care information needs of health care purchasers, employers, and consumers and to study the feasibility of creating a Louisiana Health Care Information Council to benefit consumers and employers in both the public and private sectors.

Read by title.

Motion

On motion of Rep. Townsend, the resolution was returned to the calendar.

HOUSE CONCURRENT RESOLUTION NO. 202—

BY REPRESENTATIVES GLOVER, GALLOT, AND MONTGOMERY

A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to evaluate the feasibility of and funding for a pay raise for state employees.

Read by title.

Motion

On motion of Rep. Glover, the resolution was returned to the calendar.

HOUSE CONCURRENT RESOLUTION NO. 224 (Substitute for HCR No. 109 by Representatives Futrell and Diez)—

BY REPRESENTATIVES FUTRELL AND DIEZ

A CONCURRENT RESOLUTION

To request the House Committee on Transportation, Highways and Public Works and the Senate Committee on Finance to meet and function as a joint committee to evaluate the structure, operation, and means of funding of the Department of Transportation and Development, to compare similar agencies in other states, and to make recommendations to the legislature relative to funding and organizational structure.

Read by title.

On motion of Rep. Futrell, the resolution was adopted.

Ordered to the Senate.

HOUSE RESOLUTION NO. 114—

BY REPRESENTATIVE GARY SMITH

A RESOLUTION

To direct the Department of Transportation and Development to erect signs along interstates informing slower moving traffic to move from the passing lane.

Read by title.

Rep. Gary Smith moved the adoption of the resolution.

By a vote of 98 yeas and 0 nays, the resolution was adopted.

HOUSE RESOLUTION NO. 117—

BY REPRESENTATIVES SWILLING AND RICHMOND

A RESOLUTION

To direct the Department of Transportation and Development to delay the removal of the Six Flags New Orleans sign at the entrance of the amusement park until July 1, 2004.

Read by title.

Rep. Honey moved the adoption of the resolution.

By a vote of 96 yeas and 0 nays, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 202—

BY REPRESENTATIVES GLOVER, GALLOT, AND MONTGOMERY

A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to evaluate the feasibility of and funding for a pay raise for state employees.

Called from the calendar.

Read by title.

On motion of Rep. Murray, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 226—

BY REPRESENTATIVE DEWITT

A CONCURRENT RESOLUTION

To create a task force to study the practicality and feasibility of constructing a bypass around the cities of Alexandria and Pineville to be known as the Alexandria-Pineville Loop.

Read by title.

Rep. Farrar moved the adoption of the resolution.

By a vote of 98 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Diez, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 461—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:753, 771(22)(a)(i), 772(A)(1) and (F)(8), 774(I), and 775(A)(7)(c) and (d) and to enact R.S. 32:774(K), relative to the Louisiana Used Motor Vehicle and Parts Commission; to provide for licensing requirements and educational hours; to provide for definitions; to provide for the membership of the commission and the change of its name; to provide for the powers and duties of the commission; to provide for insurance requirements; to provide relative to grounds for denial, suspension, or revocation of licenses; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Peychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kennard	Stelly
Dartez	Kenney	Strain
Devillier	LaFleur	Swilling
Diez	Lancaster	Thompson
Downer	Landrieu	Toomy
Downs	LeBlanc	Townsend
Durand	Lucas	Triche
Erdey	Martiny	Waddell
Fannin	McDonald	Walker
Farrar	McVea	Welch
Faucheux	Montgomery	Winston
Flavin	Morrell	Wooton
Frith	Murray	Wright
Fruge	Nevers	
Futrell	Odinet	
Total—97		

NAYS

Total—0

ABSENT

Ansardi	Doerge	Tucker
Broome	Morrish	Walsworth
Crowe	Perkins	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1131—

BY REPRESENTATIVE JACK SMITH AND SENATOR ROMERO

AN ACT

To amend and reenact R.S. 33:2218.2(F)(1), relative to supplemental compensation for tribal officers of the Chitimacha Tribe of Louisiana; to increase the number of officers eligible for supplemental pay; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

Page 16 HOUSE

41st Day's Proceedings - June 12, 2003

On motion of Rep. Jack Smith, the bill was returned to the calendar.

HOUSE BILL NO. 1286— BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 39:1482(A)(1), relative to state contracts for professional, personal, consulting, and social services; to exempt certain consulting service contracts relating to acquisition of rights-of-way from certain requirements related to consulting contract procurements; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Murray
Alario	Gallot	Nevers
Alexander	Glover	Psychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Dartez	Kennard	Stelly
Devillier	Kenney	Strain
Diez	LaFleur	Swilling
Downer	Lancaster	Thompson
Downs	Landrieu	Toomy
Durand	LeBlanc	Townsend
Erdey	Lucas	Triche
Fannin	Martiny	Waddell
Farrar	McDonald	Walker
Faucheux	McVea	Welch
Flavin	Montgomery	Winston
Frith	Morrell	Wooton
Fruge	Morrish	Wright
Total—96		

NAYS

Total—0

ABSENT

Capella	Doerge	Schneider
Crowe	Odinet	Tucker
Daniel	Perkins	Walsworth
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Sneed, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

HOUSE BILL NO. 1483— BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:102(B)(3)(introductory paragraph) and to enact R.S. 11:102(B)(3)(e), Part III of Chapter 4 of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:350 through 359, and Chapter 22 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2201 through 2209, relative to the issuance of bonds; to authorize the issuance of pension obligation bonds to provide for the funding of all or part of the unfunded accrued liability of state retirement systems; to authorize cooperative endeavor agreements among entities; to provide for the security for and payment of such bonds; to provide for deposit of state funds; to provide for the use of proceeds of such bonds by the retirement systems; to authorize the creation of necessary dedicated funds and accounts; to provide for the payment of employer contributions; to provide with respect to benefits; to authorize a benefits trust fund as an alternative fund for the payment of benefits; to authorize the establishment of benefit trust funds from bond proceeds; to provide for investment of proceeds deposited to the credit of the benefit payment fund; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1483 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 3, following "4 of" and before "Title" insert "Subtitle I of"

AMENDMENT NO. 2

On page 2, line 11, following "4 of" insert "Subtitle I of"

AMENDMENT NO. 3

On page 3, line 17, following "R.S." change "39:2007" to "39:2207"

AMENDMENT NO. 4

On page 3, line 25, following "22 of" insert "Subtitle III"

AMENDMENT NO. 5

On page 8, line 15, following "of the" and before "electing" change "system" to "systems"

On motion of Rep. Salter, the amendments were adopted.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 1483 by Representative Daniel

AMENDMENT NO. 1

On page 1, delete lines 2 and 3, and insert the following:

"To enact Part III of Chapter 4 of Title 11 of the Louisiana"

AMENDMENT NO. 2

On page 1, delete lines 5 through 7, and insert "relative to the issuance of bonds;"

AMENDMENT NO. 3

On page 1, delete lines 8 through 14, and on line 15, delete "contributions; to provide with respect to benefits;"

AMENDMENT NO. 4

On page 2, line 1, after "benefits" and before the semicolon ";" insert "for certain retirement systems"

AMENDMENT NO. 5

On page 2, delete lines 10 and 11, and insert the following:

"Section 1. Part III of Chapter 4 of"

AMENDMENT NO. 6

On page 2, line 13, change "are" to "is"

AMENDMENT NO. 7

On page 2, delete lines 14 through 26, delete page 3 in its entirety, and on page 4 delete lines 1 through 19

AMENDMENT NO. 8

On page 9, delete lines 12 through 25, and delete pages 10 through 20 in their entirety, and on page 21, delete line 1 through 16

AMENDMENT NO. 9

On page 21, line 17, change "Section 3." to "Section 2."

On motion of Rep. Daniel, the amendments were adopted.

Rep. Schneider sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 1483 by Representative Daniel

AMENDMENT NO. 1

On page 21, between lines 16 and 17,

"Section 3. This Act shall be of no effect unless and until any lawsuit brought by the municipalities or the Louisiana Municipal Association or both against the state and the system wishing to avail itself of the provisions of this Act has been dismissed."

AMENDMENT NO. 2

On page 21, line 17, change "3." to "4."

On motion of Rep. Schneider, the amendments were adopted.

Rep. Daniel moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Peychaud
Alexander	Green	Pierre
Ansardi	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Downer	LeBlanc	Toomy
Downs	Lucas	Townsend
Durand	Martiny	Triche
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Murray	Wright
Frith	Nevers	
Futrell	Odinet	
Total—97		

NAYS

Tucker
Total—1

ABSENT

Baudoin	Fruge	Wooton
Crowe	Morrish	
Doerge	Walsworth	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Page 18 HOUSE

41st Day's Proceedings - June 12, 2003

HOUSE BILL NO. 1531—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:3385.1(K)(5), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide for payment of the balance of a member's Deferred Retirement Option Plan account to the beneficiary; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Fruge	Perkins
Alexander	Futrell	Psychaud
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wright
Flavin	Nevers	
Total—98		

NAYS

Total—0

ABSENT

Doerge	Lancaster	Wooton
Hammett	Romero	
Heaton	Smith, J.D.—50th	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1557—

BY REPRESENTATIVES LANDRIEU AND MURRAY

AN ACT

To amend and reenact R.S. 11:3385.2(A) and to enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize Deferred Retirement Option Plan participant to exercise an initial lump sum benefit option; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Beard	Honey	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wright
Fruge	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Carter, R	Hammett
Doerge	Wooton
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1760—

BY REPRESENTATIVES LANDRIEU AND MONTGOMERY AND SENATOR B. JONES

AN ACT

To repeal R.S. 49:112, to repeal the ten-year prescriptive period for claims against the state.

Read by title.

Rep. Landrieu moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Fruge	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Doerge	Martiny
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Landrieu moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1918—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 40:1849(D)(5), relative to the Liquefied Petroleum Gas Commission Rainy Day Fund; to provide for use of certain monies in the fund; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1918 by Representative Downs

AMENDMENT NO. 1

On page 1, line 18, following "R.S." and before "and" change "1851(E)" to "1851(D)"

On motion of Rep. Salter, the amendments were adopted.

Rep. Downs moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devilleir	Lancaster	Thompson
Diez	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch

Page 20 HOUSE

41st Day's Proceedings - June 12, 2003

Faucheux
Flavin
Frith
Frige
Total—101

Morrish
Murray
Nevers
Odinet

Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Arnold
Doerge
Total—4

Martiny
Tucker

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Downs moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 28—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 11:1352(A)(1) and R.S. 13:10.1, relative to the retirement of judges; to permit a judge who attains the mandatory retirement age while serving a term of office to complete that term of office; to provide for retirement benefits of judges in the noncontributory retirement plan for judges who retire after the mandatory retirement age in order to complete a term; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Frith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crowe
Curtis
Damico
Dartez
Devillier
Diez
Downer
Durand
Erdey

Gallot
Glover
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kennard
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny

Odinet
Perkins
Peychaud
Pierre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche

Fannin
Farrar
Faucheux
Flavin
Frith
Frige
Futrell
Total—94

McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers

Tucker
Waddell
Welch
Wooton
Wright

NAYS

Bowler
Crane
Total—6

Pinac
Pitre

Walker
Walsworth

ABSENT

Daniel
Doerge
Total—5

Downs
Green

Winston

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Frith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 316—

BY REPRESENTATIVES DANIEL, PINAC, AND FAUCHEUX

AN ACT

To amend and reenact R.S. 4:1(A) and (B) and to repeal R.S. 4:1(D), relative to admission tickets to athletic contests or amusements; to provide for the price printed on the face of the ticket; to provide for certain powers of vendors or local political subdivisions; to delete certain exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 316 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "(B)" and before "and to" insert "and R.S. 17:3390(E)(1), to enact R.S. 4:1(E),"

AMENDMENT NO. 2

On page 1, at the end of line 5, insert "to provide for an exception for tickets sold over the Internet; to provide relative to ticket purchase limitations on certain private, nonprofit corporations;"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" and before "to" insert "and R.S. 4:1(E) is hereby enacted"

AMENDMENT NO. 4

On page 2, delete lines 1 through 20, and insert the following:

"B. No person shall sell or offer to sell such admission ticket for an amount in excess of three dollars greater than the price of the ticket. The price of the ticket means the price printed on the face of the ticket."

plus three dollars, and the prorated portion of any other charge or assessment which is required to be paid in order to purchase the ticket from the original vendor. For purposes of this Section, prorated portion means the total amount of the other charge or assessment required to be paid as a condition of the purchase of one or more tickets divided by the number of tickets purchased."

AMENDMENT NO. 5

On page 2, between lines 19 and 20, insert the following:

"E. The provisions of this Section shall not apply to admission tickets sold on the Internet.

Section 2. R.S. 17:3390(E)(4) is hereby enacted to read as follows:

§3390. Private nonprofit corporations which support public higher education institutions; findings; status; private funds

* * *

E.(1) Any institution of higher education may permit a private, nonprofit corporation to purchase tickets to any event sponsored by the institution not to exceed twelve percent of the tickets available for the event. The provisions of R.S. 4:1 shall not be construed to allow a private, nonprofit corporation to purchase tickets in excess of the limitation provided for in this Paragraph.

* * *

AMENDMENT NO. 6

On page 2, at the beginning of line 20, change "Section 2." to "Section 3."

On motion of Rep. Daniel, the amendments were adopted.

Rep. Scalise sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed House Bill No. 316 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "relative" delete R.S. 4:1(A) and (B) and to repeal R.S. 4:1(D)" and insert in lieu thereof "R.S. 4:1"

AMENDMENT NO. 2

On page 1, line 5, after "to" and before "exceptions;" change "delete certain" to "provide for"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." and before "are" delete "R.S. 4:1(A) and (B)" and insert in lieu thereof "R.S. 4:1"

AMENDMENT NO. 4

On page 2, between lines 18 and 19, insert the following:

"C. The provisions of this Section shall not apply to any National Football League or National Basketball Association events.

~~E. D.~~ Whoever violates this Section shall be fined not less than one hundred dollars and imprisoned for thirty days, nor more than five hundred dollars and imprisoned for ninety days.

~~D. In connection with the sale of tickets to athletic contests of institutions of higher education, contributions or other payments in excess of the printed price requested by or made to the institution or to an alumni organization or foundation which is organized for the primary purpose of providing support to the institution and which has been recognized as an approved support organization by the board of the institution shall be allowed."~~

AMENDMENT NO. 5

On page 2, delete lines 19 and 20 in their entirety

Rep. Scalise moved the adoption of the amendments.

Rep. Daniel objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Gallot	Pitre
Alexander	Heaton	Powell
Ansardi	Hebert	Richmond
Arnold	Honey	Romero
Baudoin	Hudson	Salter
Broome	Iles	Scalise
Bruneau	Jackson, L	Schneider
Capella	Johns	Schwegmann
Crane	Katz	Shaw
Crowe	Kennard	Smith, J.H.—8th
Curtis	Kenney	Smith, J.R.—30th
Damico	Landrieu	Sneed
Dartez	Lucas	Stelly
Downer	Martiny	Strain
Downs	McDonald	Swilling
Durand	McVea	Thompson
Erdey	Montgomery	Triche
Fannin	Morrell	Tucker
Faucheux	Morrish	Waddell
Flavin	Murray	Walsworth
Frith	Odinet	Welch
Fruge	Perkins	Wright
Futrell	Peychaud	
Total—68		

NAYS

Mr. Speaker	Diez	Pierre
Baldone	Farrar	Pinac
Baylor	Glover	Quezaire
Beard	Green	Smith, G.—56th
Bowler	Guillory	Smith, J.D.—50th
Carter, K	Hill	Toomy
Carter, R	Hopkins	Townsend
Cazayoux	LaFleur	Walker
Daniel	LeBlanc	Winston
Total—27		

ABSENT

Bruce	Hunter	Nevers
Devillier	Hutter	Wooton
Doerge	Jackson, M	

Page 22 HOUSE

41st Day's Proceedings - June 12, 2003

Hammett Lancaster
Total—10

The amendments were adopted.

Rep. Murray sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed House Bill No. 316 by Representative Daniel

AMENDMENT NO. 1

On page 2, between lines 18 and 19, insert the following:

"(4) No person shall sell or offer to sell any admission ticket for any concert or musical performance or intercollegiate athletic event for an amount in excess of the price of the ticket."

Rep. Murray moved the adoption of the amendments.

Rep. Daniel objected.

By a vote of 58 yeas and 41 nays, the amendments were adopted.

Motion

On motion of Rep. Daniel, the bill, as amended, was returned to the calendar.

HOUSE BILL NO. 458—

BY REPRESENTATIVES WELCH AND DANIEL
AN ACT

To amend and reenact R.S. 38:301(A)(3), relative to the authority of levee boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in certain parishes; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Cazayoux sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Engrossed House Bill No. 458 by Representatives Welch and Daniel

AMENDMENT NO. 1

Change author from Representatives Welch and Daniel to Representative Cazayoux

AMENDMENT NO. 2

On page 1, line 2, after "R.S. 38:301(A)(3)" delete the comma "," and insert the following:

"as amended and reenacted by Act No. 243 of the 2003 Regular Session of the Louisiana Legislature,

AMENDMENT NO. 3

On page 1, line 3, after "boards" delete the semicolon ";" and insert "and levee and drainage boards;"

AMENDMENT NO. 4

On page 1, line 4, after "in" delete the remainder of the line and insert "West Baton Rouge Parish;"

AMENDMENT NO. 5

On page 1, line 10, after "R.S. 38:301(A)(3)" insert a comma "," and insert "as amended and reenacted by Act No. 243 of the 2003 Regular Session of the Louisiana Legislature,"

AMENDMENT NO. 6

On page 2, line 3, delete "St. James, and St. John" and insert "St. James, St. John, and West Baton Rouge"

On motion of Rep. Cazayoux, the amendments were adopted.

Motion

Rep. Cazayoux moved that House Bill No. 458 be undesignated as a duplicate of Senate Bill No. 953.

Which motion was agreed to.

Rep. Cazayoux moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wright
Frith	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Doerge
LaFleur
Total—4

McDonald
Wooton

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cazayoux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 499 (Duplicate of Senate Bill No. 64)—
BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 9:5701, relative to prescription; to provide a ten-year prescriptive period for educational debts owed to institutions of higher education; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Townsend, the bill was withdrawn from the files of the House.

HOUSE BILL NO. 1404—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 33:2738.84, relative to local sales and use taxes; to authorize certain parishes and municipalities to levy and collect an additional sales and use tax; to provide for the use of the proceeds derived from such tax; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Townsend sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 1404 by Representative Townsend

AMENDMENT NO. 1

On page 1, at the end of line 10, add "and municipalities"

AMENDMENT NO. 2

On page 1, line 12, after "of any" and before "in a" delete "local governmental subdivision" and insert "municipality having a population in excess of seventeen thousand five hundred persons"

AMENDMENT NO. 3

On page 2, line 1, after "within the" and before "under" change "parish" to "municipality"

On motion of Rep. Townsend, the amendments were adopted.

Rep. Welch sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Welch to Engrossed House Bill No. 1404 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 11, between "A." and "Notwithstanding" insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 5 and 6, insert the following:

"(2)(a) Notwithstanding any other provision of law to the contrary, the governing authority of a parish having a population in excess of three hundred and fifty thousand but fewer than four hundred and thirty-five thousand persons, as determined by the most recent federal decennial census, may levy and collect an additional one percent sales and use tax within the parish under the provisions of Article VI, Section 29(B) of the Constitution of Louisiana, which additional sales and use tax shall not be subject to the combined rate limitations established in Article VI, Section 29(A) of the Constitution of Louisiana, nor any other provision of law to the contrary.

(b) Notwithstanding any other provision of law to the contrary, the governing authority of any municipality located in a parish having a population in excess of three hundred and fifty thousand and fewer than four hundred and thirty-five thousand persons, as determined by the most recent federal decennial census, may levy and collect an additional one percent sales and use tax within the municipality under the provisions of Article VI, Section 29(B) of the Constitution of Louisiana, which additional sales and use tax shall not be subject to the combined rate limitations established in Article VI, Section 29(A) of the Constitution of Louisiana, nor any other provision of law to the contrary."

AMENDMENT NO. 3

On page 2, line 10, change "parish." to "parish or municipality."

AMENDMENT NO. 4

On page 2, line 14, change "parish." to "parish or municipality."

On motion of Rep. Welch, the amendments were adopted.

Rep. Townsend moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Odinot
Alario	Green	Peychaud
Ansardi	Guillory	Pierre
Arnold	Hammett	Pinac
Baldone	Heaton	Powell
Baylor	Hebert	Quezaire
Broome	Hill	Richmond
Bruce	Honey	Romero
Bruneau	Hopkins	Salter
Capella	Hudson	Schneider
Carter, K	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Curtis	Iles	Smith, J.H.—8th
Damico	Jackson, M	Smith, J.R.—30th
Daniel	Johns	Stelly

Page 24 HOUSE

41st Day's Proceedings - June 12, 2003

Dartez	Kenney	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Durand	Martiny	Triche
Farrar	McDonald	Welch
Faucheux	Montgomery	Winston
Flavin	Morrell	Wooton
Frith	Murray	
Gallot	Nevers	
Total—73		

NAYS

Alexander	Futrell	Shaw
Beard	Kennard	Sneed
Bowler	McVea	Strain
Crane	Morrish	Waddell
Crowe	Perkins	Walker
Erdey	Pitre	Walsworth
Fannin	Scalise	
Früge	Schwegmann	
Total—22		

ABSENT

Baudoin	Jackson, L	Tucker
Cazayoux	Katz	Wright
Doerge	LaFleur	
Downs	Lancaster	
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1612—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact Chapter 8 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3101 through 3117, relative to health insurance; to require that pharmacy benefit managers be licensed and regulated by the Department of Insurance, including provisions relative to disclosure of ownership, maintenance of records, annual statements and filing fees, agreements with insurers, pharmacists, and pharmacies, medication reimbursement costs, timely payments to pharmacists and pharmacies, license revocation and suspension, and administrative fines; and to provide for related matters.

Called from the calendar.

Read by title.

On motion of Rep. Townsend, the bill was recommitted to the Committee on Appropriations.

HOUSE BILL NO. 1663—

BY REPRESENTATIVES FUTRELL AND MCVEA AND SENATOR DUPRE
AN ACT

To enact Part XI-A of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:194, relative to state highways; to create the State Highway Construction Fund as a special fund in the state treasury; to provide for the deposit of monies into the fund; to provide for the uses of the monies in the fund; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Futrell sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Futrell to Engrossed House Bill No. 1663 by Representative Futrell

AMENDMENT NO. 1

On page 2, delete lines 25 and 26 and on page 3, delete lines 1 through 4 and insert:

"(1) For the 2004-2005 Fiscal Year, the amount of one million dollars.

(2) For the 2005-2006 Fiscal Year, the amount of two million dollars.

(3) For the 2006-2007 Fiscal Year, the amount of four million dollars.

(4) For the 2007-2008 Fiscal Year, the amount of eight million dollars.

(5) For the 2008-2009 Fiscal Year, the amount of sixteen million dollars.

(6) For the 2009-2010 Fiscal Year, the amount of thirty-two million dollars.

(7) For the 2010-2011 Fiscal Year, the amount of forty-two million dollars.

(8) For the 2011-2012 Fiscal Year, and each fiscal year thereafter, the amount of fifty-two million dollars."

AMENDMENT NO. 2

On page 3, delete lines 24 and 25, and on page 4, delete lines 1 and 2, and insert:

"Section 2. This Act shall become effective on July 1, 2004, but only in the event the Revenue Estimating Conference certifies that the net additional revenues derived by implementation of the provisions of Act 51 of the 2002 Regular Session of the Legislature, generally referred to as the "Stelly Plan", will equal or exceed the following amounts in each of the respective fiscal years:

Fiscal Year 2003-2004	\$ 4 million
Fiscal Year 2004-2005	\$ 18 million
Fiscal Year 2005-2006	\$ 33 million
Fiscal Year 2006-2007	\$ 50 million
Fiscal Year 2007-2008	\$ 68 million
Fiscal Year 2008-2009	\$ 88 million
Fiscal Year 2009-2010	\$ 110 million
Fiscal Year 2010-2011 and thereafter	\$ 133 million"

Motion

Rep. LeBlanc moved that the bill be returned to the calendar.

Rep. Futrell objected.

By a vote of 49 yeas and 50 nays, the House refused to return the bill to the calendar.

Rep. Futrell moved the adoption of the amendments.

Rep. Stelly objected.

By a vote of 63 yeas and 39 nays, the amendments were adopted.

Rep. Morrell sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Engrossed House Bill No. 1663 by Representative Futrell

AMENDMENT NO. 1

On page 1, line 3, after "194" and before the comma "," insert "and 195"

AMENDMENT NO. 2

On page 1, line 6 after the semicolon ";" insert "to provide with respect to operation of trucks on certain highways under certain circumstances"

AMENDMENT NO. 3

On page 1, line 10, after "of" change "R.S. 48:194, is" to "R.S. 48:194 and 195, are"

AMENDMENT NO. 4

On page 3, between lines 23 and 24, insert the following:

"§195. Limitations on the Operation of Certain Trucks on Elevated Highways and Bridges

Trucks weighing in excess of twenty thousand pounds shall not operate in the left lane of a state or interstate highway when traversing a bridge or an elevated portion of such a highway nor during periods of rain. Additionally, during periods of rain the maximum speed at which such trucks may be operated shall be no more than ten miles per hour below the posted speed limit."

Rep. Morrell moved the adoption of the amendments.

Rep. Futrell objected.

By a vote of 55 yeas and 46 nays, the amendments were adopted.

Rep. Futrell moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander	Fruge	Romero
Baudoin	Futrell	Salter
Baylor	Gallot	Scalise
Beard	Glover	Schwegmann
Bruce	Green	Shaw
Carter, R	Hebert	Smith, G.—56th
Crowe	Hill	Smith, J.R.—30th
Devillier	Iles	Strain
Downer	Katz	Thompson

Downs
Erdey
Fannin
Farrar
Frith
Total—42

Kennard
McVea
Morrell
Powell
Quezaire

Waddell
Walker
Walsworth
Winston
Wright

NAYS

Mr. Speaker
Alario
Ansardi
Arnold
Baldone
Bowler
Broome
Bruneau
Capella
Carter, K
Cazayoux
Crane
Curtis
Damico
Daniel
Dartez
Durand
Fauchaux
Total—53

Flavin
Guillory
Heaton
Honey
Hopkins
Hudson
Hunter
Jackson, L
Jackson, M
Johns
LaFleur
Landrieu
LeBlanc
Lucas
Martiny
McDonald
Montgomery
Morrish

Murray
Odinet
Peychaud
Pierre
Pinac
Pitre
Richmond
Schneider
Smith, J.D.—50th
Smith, J.H.—8th
Sneed
Stelly
Toomy
Townsend
Triche
Tucker
Welch

ABSENT

Diez
Doerge
Hammett
Hutter
Total—10

Kenney
Lancaster
Nevers
Perkins

Swilling
Wooton

The Chair declared the above bill failed to pass.

Rep. Stelly moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1791—

BY REPRESENTATIVES TOWNSEND AND BALDONE

AN ACT

To enact R.S. 6:332 and 333(F)(16), relative to disclosure of financial records; to provide for attorney fiduciary accounts; to provide for overdraft notification to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board; to provide for a limitation of liability; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Green sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Engrossed House Bill No. 1791 by Representatives Townsend and Baldone

AMENDMENT NO. 1

On page 2, line 17, before the period "." insert a comma "," and insert "or when the overdraft is satisfied within ten days of its occurrence"

Rep. Green moved the adoption of the amendments.

Rep. Walsworth objected.

Page 26 HOUSE

41st Day's Proceedings - June 12, 2003

By a vote of 65 yeas and 28 nays, the amendments were adopted.

Rep. Honey sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Honey to Engrossed House Bill No. 1791 by Representative Townsend

AMENDMENT NO. 1

On page 2, between lines 17 and 18 insert "E. Any interest earnings on the account shall remain to the credit of the account."

On motion of Rep. Honey, the amendments were adopted.

Rep. Townsend moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Ansardi	Flavin	Salter
Arnold	Frith	Schwegmann
Baldone	Fruge	Shaw
Bruce	Glover	Smith, J.D.—50th
Bruneau	Guillory	Smith, J.H.—8th
Carter, K	Hebert	Smith, J.R.—30th
Cazayoux	Hill	Stelly
Curtis	Katz	Strain
Daniel	McVea	Townsend
Dartez	Morrish	Triche
Devillier	Odinet	Tucker
Diez	Peychaud	Walsworth
Downs	Pinac	Wooton
Fannin	Pitre	Wright
Farrar	Powell	
Faucheux	Quezaire	
Total—46		

NAYS

Mr. Speaker	Honey	Murray
Alario	Hopkins	Nevers
Alexander	Hudson	Perkins
Baudoin	Hunter	Pierre
Baylor	Iles	Richmond
Beard	Jackson, L	Romero
Bowler	Jackson, M	Scalise
Broome	Johns	Schneider
Capella	Kenney	Smith, G.—56th
Carter, R	LaFleur	Sneed
Crowe	Lancaster	Swilling
Damico	Landrieu	Thompson
Durand	LeBlanc	Toomy
Futrell	Lucas	Waddell
Gallot	Martiny	Walker
Green	McDonald	Welch
Hammett	Montgomery	Winston
Heaton	Morrell	
Total—53		

ABSENT

Crane	Downer	Hutter
Doerge	Erdey	Kennard
Total—6		

The Chair declared the above bill failed to pass.

Rep. Green moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1822—

BY REPRESENTATIVE GLOVER

AN ACT

To enact R.S. 33:2338, relative to municipalities with a population of not less than one hundred seventy-five thousand and not more than two hundred fifteen thousand persons; to authorize the governing authority of such municipalities to establish a citizens review board; to provide relative to the functions of such boards; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Glover sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Glover to Engrossed House Bill No. 1822 by Representative Glover

AMENDMENT NO. 1

On page 1, line 13, after "A." and before "The governing" insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 2 and 3, insert the following:

"(2) The board shall be composed of at least one member selected from each of the council districts of the municipality and shall be reflective of the demographic makeup of the municipality. No person previously convicted of a felony shall be eligible for appointment to the board."

AMENDMENT NO. 3

On page 2, line 4, after "(1)" and before "membership" delete "The" and insert in lieu thereof "Subject to Paragraph (2) of Subsection A of this Section, the"

AMENDMENT NO. 4

On page 2, delete lines 21 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"(4) In the course of its investigation, the board may require the police department of the municipality in which it is located to produce reports, records, files, documents, and communications, and the information contained therein, including the results of any investigation undertaken by the municipal police department with a view to possible disciplinary action, demotion, or dismissal of a law enforcement officer. Such information shall not include a law enforcement officer's home address, telephone number, photograph, or any other information that is confidential as provided by law, without the express written consent of the law enforcement officer. In the event that any request by the board under this Paragraph is denied, a judicial determination pertaining to compliance with this Paragraph shall be made after a contradictory hearing as provided by law. An appeal by the municipal police department from an adverse decision of the court shall be suspensive."

On motion of Rep. Glover, the amendments were adopted.

Rep. Hopkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hopkins to Engrossed House Bill No. 1822 by Representative Glover

AMENDMENT NO. 1

Delete House Floor Amendment No. 2 proposed by Representative Glover and adopted by the House on June 12, 2003

AMENDMENT NO. 2

On page 2, between lines 2 and 3, insert the following:

"(2) The board shall consist of nine members composed of the following:

(a) Four members selected by the city council from names submitted to and recommended by the city council.

(b) Three members selected by the local police officer association board from names submitted to and recommended by the local police officer association board.

(c) One member appointed by the mayor of the municipality.

(d) One member appointed by the district attorney for the parish in which the municipality is located."

Rep. Hopkins moved the adoption of the amendments.

Rep. Glover objected.

By a vote of 57 yeas and 39 nays, the amendments were adopted.

Rep. Glover moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	LeBlanc
Alario	Frith	Lucas
Arnold	Gallot	Martiny
Baldone	Glover	Montgomery
Baudoin	Green	Morrell
Baylor	Guillory	Murray
Beard	Hammett	Peychaud
Broome	Heaton	Pierre
Carter, K	Hebert	Quezaire
Carter, R	Hill	Richmond
Cazayoux	Honey	Salter
Curtis	Hudson	Schwegmann
Damico	Hunter	Smith, G.—56th
Daniel	Iles	Smith, J.D.—50th
Dartez	Jackson, L	Smith, J.R.—30th
Devillier	Jackson, M	Strain
Downs	Johns	Swilling
Durand	LaFleur	Townsend
Fannin	Landrieu	Welch
Total—57		

NAYS

Alexander	Kennard	Shaw
Ansardi	Kenney	Smith, J.H.—8th
Bowler	Lancaster	Sneed

Bruneau	McDonald	Stelly
Capella	McVea	Thompson
Crane	Morrish	Toomy
Crowe	Nevers	Triche
Downer	Perkins	Tucker
Erdey	Pinac	Waddell
Flavin	Pitre	Walker
Fruge	Powell	Walsworth
Futrell	Romero	Winston
Hopkins	Scalise	Wright
Katz	Schneider	
Total—41		

ABSENT

Bruce	Faucheux	Wooton
Diez	Hutter	
Doerge	Odinet	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Glover moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Capella, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

HOUSE BILL NO. 1131—

BY REPRESENTATIVE JACK SMITH AND SENATOR ROMERO
AN ACT

To amend and reenact R.S. 33:2218.2(F)(1), relative to supplemental compensation for tribal officers of the Chitimacha Tribe of Louisiana; to increase the number of officers eligible for supplemental pay; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Jack Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander	Glover	Peychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th

Page 28 HOUSE

41st Day's Proceedings - June 12, 2003

Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	
Frith	Nevers	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Schneider	Wright
Fruge	Stelly	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 351— BY SENATOR HOLDEN AND THOMAS AN ACT

To amend and reenact R.S. 33:1236(32), relative to the powers of parish governing authorities; to authorize the governing authority of St. Helena, St. Tammany, and Washington parishes to operate, regulate, or subsidize ambulance services; and to provide for related matters.

Read by title.

Rep. Robert Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell

Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	LaFleur	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	
Frith	Odinot	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Lancaster	Wright
Kenney	Walsworth	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Robert Carter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 362— BY SENATOR THEUNISSEN AN ACT

To amend and reenact R.S. 44:4.1(B)(8) and to enact R.S. 17:3135, relative to student education records; to provide for the access of parents to the education records of their dependent child in accordance with the federal Family Educational Rights and Privacy Act; to require the postsecondary education management boards to submit institutional policies to the Board of Regents; to authorize institutions to charge a fee for copying or mailing such records; to require compliance with federal law; to exempt such student education records from the public records law; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Murray	Winston
Frith	Nevers	Wright
Total—99		

NAYS

Total—0

ABSENT

Curtis	Jackson, L	Shaw
Doerge	Morrish	Wooton
Total—6		

The Chair declared the above bill was finally passed.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 363—
BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 3-E of Title 8 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 8:135 through 135.2, relative to publicly owned cemeteries; to create the Sweet Lake - Grand Lake Community Cemetery District in Cameron Parish; to provide for the district's boundaries, purpose, powers and duties; to provide for a board of commissioners of the district; and to provide for related matters.

Read by title.

Rep. Flavin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devilleir	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Total—104		

NAYS

Total—0

ABSENT

Doerge
Total—1

The Chair declared the above bill was finally passed.

Rep. Flavin moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 406—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 14:32.1(A)(5) and (6), 39.1(A)(4) and (5), and 39.2(A)(4) and (5), relative to crimes related to assault and battery; to provide relative to vehicular homicide, vehicular negligent injuring, and first degree vehicular negligent injuring; to eliminate certain elements of such crimes; to provide for the lack of such elements to be available as an affirmative defense to certain charges of such crimes; and to provide for related matters.

Read by title.

Rep. Gary Smith moved the final passage of the bill.

Page 30 HOUSE

41st Day's Proceedings - June 12, 2003

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Welch
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Morrish	Wright
Flavin	Murray	
Frith	Nevers	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Shaw	Walsworth
Hunter	Tucker	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Gary Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 693—

BY SENATOR ULLO

AN ACT

To enact R.S. 33:4735, relative to municipalities and parishes; to provide that local governing authorities of parishes with a population of four hundred fifty thousand to four hundred sixty thousand notify area legislators prior to hearings regarding a facility that stores hazardous material; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Ansardi	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Downs	McVea	Tucker
Durand	Montgomery	Waddell
Erdey	Morrell	Walker
Fannin	Morrish	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinet	Wright
Frith	Perkins	
Fruge	Peychaud	
Total—97		

NAYS

Total—0

ABSENT

Baylor	Hebert	McDonald
Doerge	Hunter	Wooton
Downer	Johns	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Damico moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 767—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 32:666(A) and to enact R.S. 14:98.2 and R.S. 32:661(C)(1)(f), relative to crime; to create the crime of refusal to submit to chemical test of blood content of alcohol, controlled dangerous substances or abused substances after arrest for an offense of driving while intoxicated after refusing to submit to such test on two separate and previous occasions with respect to any previous such violation; to require informing such arrested persons of the penalty for not submitting to the test; to provide for penalties; and to provide for related matters.

Read by title.

Rep. Gary Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Psychaud
Alario	Früge	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Glover	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Stelly
Curtis	Kenney	Strain
Damico	Landrieu	Swilling
Daniel	LeBlanc	Thompson
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McVea	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Walsworth
Erdey	Murray	Welch
Fannin	Nevers	Winston
Farrar	Odinet	Wright
Total—84		

NAYS

Capella	Katz	Richmond
Carter, R	Kennard	Toomy
Green	Morrish	Tucker
Total—9		

ABSENT

Doerge	Honey	McDonald
Downer	Hutter	Perkins
Faucheux	LaFleur	Sneed
Frith	Lancaster	Wooton
Total—12		

The Chair declared the above bill was finally passed.

Rep. Gary Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 799—

BY SENATORS BAJIOE, HINES AND SCHEDLER

AN ACT

To amend and reenact R.S. 46:2116.2(C)(1) and to enact R.S. 46:2116.2(C)(4), relative to the Personal Care Assistance Services Program; to provide for choice of vendor; and to provide for related matters.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Ansardi	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Bowler	Hill	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Martiny	Triche
Downs	McVea	Tucker
Durand	Montgomery	Waddell
Erdey	Morrell	Walker
Fannin	Morrish	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinet	Wooton
Frith	Perkins	Wright
Früge	Psychaud	
Total—98		

NAYS

Honey
Total—1

ABSENT

Beard	Downer	Lucas
Doerge	LaFleur	McDonald
Total—6		

The Chair declared the above bill was finally passed.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 826—

BY SENATOR C. JONES

AN ACT

To enact Subpart D-1 of Part I of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4770.1 through 4770.16, relative to the removal of dilapidated structures and noxious matters within the city of Monroe; to provide definitions; to provide for notification; to provide for the reporting of such structures; to provide for the liability of city council members and others; and to provide for related matters.

Page 32 HOUSE

41st Day's Proceedings - June 12, 2003

Read by title.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pinac
Alario	Gallot	Pitre
Alexander	Glover	Powell
Ansardi	Green	Quezaire
Arnold	Guillory	Richmond
Baldone	Hammett	Romero
Baudoin	Heaton	Salter
Baylor	Hebert	Scalise
Beard	Hill	Schneider
Bowler	Hopkins	Schwegmann
Broome	Hudson	Shaw
Bruce	Hutter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Carter, K	Johns	Smith, J.H.—8th
Carter, R	Katz	Smith, J.R.—30th
Cazayoux	Kenard	Sneed
Crane	Kenney	Stelly
Crowe	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Martiny	Townsend
Diez	McVea	Triche
Downs	Montgomery	Tucker
Durand	Morrell	Waddell
Erdey	Morrish	Walker
Fannin	Murray	Walsworth
Farrar	Nevers	Welch
Faucheux	Odinot	Winston
Flavin	Perkins	Wooton
Frith	Peychaud	Wright
Früge	Pierre	
Total—95		

NAYS

Total—0

ABSENT

Capella	Honey	Lucas
Curtis	Hunter	McDonald
Doerge	Jackson, L	
Downer	Jackson, M	
Total—10		

The Chair declared the above bill was finally passed.

Rep. Hunter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 864— BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 33:2740.51(B), (C), the introductory paragraph of R.S. 33:2740.51(D) and to enact R.S. 33:2740.51(L), relative to the Southside Economic Development District; to provide for operation of the district by a board of commissioners; to provide for the powers, duties, and function of the district; and to provide for related matters.

Read by title.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Peychaud
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenard	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	Landrieu	Triche
Downs	LeBlanc	Tucker
Durand	Lucas	Waddell
Erdey	Martiny	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Früge	Nevers	
Futrell	Odinot	
Total—97		

NAYS

Total—0

ABSENT

Beard	Downer	Schneider
Capella	McDonald	Shaw
Doerge	Pierre	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Hunter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 876— BY SENATORS MOUNT AND BAOJIE

AN ACT

To amend and reenact R.S. 40:1300.52(C), relative to criminal history records; to provide relative to checks of such records for employment purposes; to authorize temporary employment of certain personnel only under certain circumstances prior to completion of such check; and to provide for related matters.

Read by title.

Rep. Katz moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Doerge	McDonald
Downer	Shaw
Total—4	

The Chair declared the above bill was finally passed.

Rep. Katz moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 937—

BY SENATORS HINES AND HOLDEN
AN ACT

To amend and reenact R.S. 37:1041(4), 1042(A) and (C), 1046(B) and (C), 1048(3) and (4), 1050, 1051(A) and (C)(1), 1057, 1058, 1063(introductory paragraph), (1), and (2), and (9), 1064(B) and (C), and to enact R.S. 37:1041(A) and (B), 1042(D) and (E), 1048(5) and (6), 1049(6), 1063(B), (C), and (D), 1064(F), and R.S. 44:4(37), and to repeal R.S. 37:1063(10), (11) and (12), relative to optometry; to provide for the public purpose; to provide

for a limitation from liability; to provide for travel, hearings and subpoena authority; to provide for licensure fees, violations and civil penalties; to provide for exception to the public records law; and to provide for related matters.

Read by title.

Motion

On motion of Rep. LeBlanc, the bill was returned to the calendar.

SENATE BILL NO. 1020—

BY SENATOR ULLO

AN ACT

To enact R.S. 33:423.13, relative to powers and duties of the chief of police in the town of Grand Isle; to authorize the chief of police in the town of Grand Isle to hire and fire his personnel; and to provide for related matters.

Read by title.

Rep. Pitre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Page 34 HOUSE

41st Day's Proceedings - June 12, 2003

Doerge
Total—3

Downer

McDonald

The Chair declared the above bill was finally passed.

Rep. Pitre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1050— BY SENATOR ADLEY

AN ACT

To enact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to membership; to provide that retired persons over the age of sixty-five shall not be required to participate in the retirement system; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hebert	Richmond
Baudoin	Hill	Romero
Baylor	Honey	Salter
Beard	Hopkins	Scalise
Bowler	Hudson	Schneider
Broome	Hunter	Schwegmann
Bruce	Hutter	Shaw
Bruneau	Iles	Smith, G.—56th
Capella	Jackson, L	Smith, J.D.—50th
Carter, K	Jackson, M	Smith, J.H.—8th
Carter, R	Johns	Smith, J.R.—30th
Cazayoux	Katz	Sneed
Crane	Kennard	Stelly
Crowe	Kenney	Strain
Curtis	LaFleur	Swilling
Damico	Lancaster	Thompson
Daniel	Landrieu	Toomy
Dartez	LeBlanc	Townsend
Diez	Lucas	Triche
Downs	Martiny	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Futrell	Perkins	
Gallot	Psychaud	
Total—100		

NAYS

Total—0

ABSENT

Devillier Downer McDonald

Doerge
Total—5

Fannin

The Chair declared the above bill was finally passed.

Rep. Schneider moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1057— BY SENATOR LENTINI

AN ACT

To enact R.S. 15:262, relative to compulsory process; to provide relative to certain witnesses; to authorize certain law enforcement agencies to provide for the security of such witnesses; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Martiny sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 1057 by Senator Lentini

AMENDMENT NO. 1

In Amendment No. 2 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 9, 2003, on page 1, line 5, after "has" insert "voluntarily"

On motion of Rep. Martiny, the amendments were adopted.

Rep. Martiny moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Psychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker

Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Früge	Odinet	Wright
Futrell	Perkins	
Total—101		

NAYS

Total—0

ABSENT

Beard	Downer
Doerge	McDonald
Total—4	

The Chair declared the above bill was finally passed.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1072—
BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 46:2682(5) and to enact R.S. 46:2682(8), relative to community care services; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pinac
Alario	Glover	Pitre
Alexander	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, L	Smith, J.R.—30th
Cazayoux	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Kennard	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Lancaster	Toomy
Dartez	Landrieu	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Farrar	Murray	Welch

Faucheux	Nevers	Winston
Flavin	Odinet	Wooton
Frith	Perkins	Wright
Früge	Psychaud	
Futrell	Pierre	
Total—97		

NAYS

Total—0

ABSENT

Ansardi	Fannin	McDonald
Doerge	Katz	Morrish
Downer	Martiny	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1088—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 28:826(B)(2)(s) through (z), relative to the disability services planning group; to provide for additional members of the consumer task force; and to provide for related matters.

Read by title.

Rep. Farrar sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Reengrossed Senate Bill No. 1088 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "(z)" and before the comma "1" insert "and (E)(4)"

AMENDMENT NO. 2

On page 1, line 4, after "force;" and before "and" insert "to provide relative to approval of expenditures;"

AMENDMENT NO. 3

On page 1, line 6, after "(z)" and before "are" insert "and (E)(4)"

AMENDMENT NO. 4

On page 2, after line 23, insert the following:

"E.(1)

* * *

R.S. 28:826(E)(4) is all proposed new law.

(4) Expenditures proposed by the consumer task force shall be submitted to the Joint Legislative Committee on the Budget for approval prior to payment."

On motion of Rep. Farrar, the amendments were adopted.

Page 36 HOUSE

41st Day's Proceedings - June 12, 2003

Rep. Schwegmann sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schwegmann and Representative L. Jackson to Reengrossed Senate Bill No. 1088 by Senator McPherson

AMENDMENT NO. 1

Delete the set of amendments proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 9, 2003.

AMENDMENT NO. 2

On page 1, line 2, change "(z)" to "(hh)"

AMENDMENT NO. 3

On page 1, line 6, change "(z)" to "(hh)"

AMENDMENT NO. 4

On page 2, between lines 22 and 23, insert the following:

"(aa) A representative of Families Helping Families of Northeast Louisiana, Inc.

(bb) A representative of the Louisiana Long Term Care Foundation.

(cc) A representative of the Alzheimer's Association.

(dd) A representative of the ARC of Louisiana.

(ee) A representative of the Home Care Association of Louisiana.

(ff) A representative of the Louisiana Adult Day Health Care Association.

(gg) A representative of the Louisiana Assisted Living Association.

(hh) A representative of the People First of Louisiana."

Rep. Schwegmann moved the adoption of the amendments.

Rep. Farrar objected.

By a vote of 40 yeas and 49 nays, the amendments were rejected.

Rep. Durand sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Reengrossed Senate Bill No. 1088 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, change "(z)" to "(bb)"

AMENDMENT NO. 2

On page 1, line 6, change "(z)" to "(bb)"

AMENDMENT NO. 3

On page 2, between lines 22 and 23 insert the following:

"R.S. 28:826(B)(2)(aa) is all proposed new law.

(aa) A representative of the Louisiana Nursing Home Association.

R.S. 28:826(B)(2)(bb) is all proposed new law.

(bb) A representative of the Louisiana Hospital Association."

Rep. Durand moved the adoption of the amendments.

Rep. Schwegmann objected.

By a vote of 36 yeas and 58 nays, the amendments were rejected.

Rep. Farrar moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	Landrieu	Triche
Downs	LeBlanc	Tucker
Durand	Lucas	Waddell
Erdey	Martiny	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—99		

NAYS

Schwegmann
Total—1

ABSENT

Doerge	McDonald	Swilling
Downer	Morrell	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1097—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:721.1(B) and to enact R.S. 11:701(33)(a)(xi), relative to the Teachers' Retirement System of Louisiana; to provide with respect to option to participate in the system; to provide with respect to the definition of "Teacher"; to include the director and staff of the Louisiana Resource Center for Educators within the definition of teacher; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright
Fruge	Perkins	
Total—101		

NAYS

Total—0

ABSENT

Doerge	McDonald
Downer	Morrish
Total—4	

The Chair declared the above bill was finally passed.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1109—
BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:3843, relative to the New Orleans Employees' Retirement System; to repeal the provision which excludes simultaneous membership in more than one public retirement system; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kennard	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Lancaster	Toomy
Dartez	Landrieu	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinot	
Fruge	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Green	Stelly
Downer	McDonald	
Total—5		

The Chair declared the above bill was finally passed.

Page 38 HOUSE

41st Day's Proceedings - June 12, 2003

Rep. Schneider moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 6—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 18:463(A)(2), relative to notice of candidacy forms; to provide that the candidacy form include information concerning the disposition of a felony conviction; and to provide for related matters.

Read by title.

Rep. Pitre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Glover	Powell
Arnold	Green	Quezaire
Baldone	Guillory	Romero
Baudoin	Hammett	Salter
Baylor	Heaton	Scalise
Beard	Hebert	Schwegmann
Broome	Hill	Shaw
Bruce	Honey	Smith, G.—56th
Bruneau	Hudson	Smith, J.D.—50th
Capella	Hunter	Smith, J.H.—8th
Carter, R	Hutter	Smith, J.R.—30th
Cazayoux	Iles	Sneed
Crane	Jackson, M	Stelly
Crowe	Johns	Strain
Curtis	Katz	Swilling
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Landrieu	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Downs	Montgomery	Waddell
Durand	Morrell	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Welch
Farrar	Nevers	Winston
Faucheux	Odinot	Wooton
Flavin	Perkins	Wright
Frith	Peychaud	
Total—92		

NAYS

Total—0

ABSENT

Bowler	Jackson, L	McVea
Carter, K	Kennard	Richmond
Doerge	Lancaster	Schneider
Downer	Martiny	
Hopkins	McDonald	
Total—13		

The Chair declared the above bill was finally passed.

Rep. Pitre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 8—

BY SENATOR GAUTREAU

AN ACT

To enact R.S. 13:2150, relative to the city court of Morgan City; to provide for costs in criminal matters; to provide for creation of a court cost fund for juvenile offender services; to provide for disposition and use of fines assessed in criminal matters in the Morgan City Court; and to provide for related matters.

Read by title.

Rep. Dartez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Broome	Hill	Schneider
Bruce	Honey	Schwegmann
Bruneau	Hopkins	Shaw
Capella	Hudson	Smith, G.—56th
Carter, K	Hunter	Smith, J.D.—50th
Carter, R	Hutter	Smith, J.H.—8th
Cazayoux	Iles	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downs	Martiny	Tucker
Durand	Montgomery	Waddell
Erdey	Morrell	Walker
Fannin	Morrish	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinot	Wooton
Frith	Perkins	Wright
Total—96		

NAYS

Total—0

ABSENT

Bowler	Jackson, L	McDonald
Doerge	Kennard	McVea
Downer	Lancaster	Richmond
Total—9		

The Chair declared the above bill was finally passed.

Rep. Dartez moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 9—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:1421(C), relative to participation by sheriffs in a deferred compensation plan; authorizes participation by sheriffs in the matched portion of an eligible deferred compensation program established pursuant to Section 457 of the Internal Revenue Code; and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Psychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downs	Martiny	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Fannin	Morrell	Walker
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright
Futrell	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Baudoin	Fruge	Walsworth
Doerge	Lancaster	
Downer	McDonald	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 11—

BY SENATOR DUPRE AND REPRESENTATIVES DOWNER AND BALDONE

AN ACT

To amend and reenact R.S. 18:1317, relative to voting; to provide that the vote of an individual who votes absentee and subsequently dies prior to the opening of the polls on the day of the election shall be valid; and to provide for related matters.

Read by title.

Rep. Faucheux sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Faucheux and Landrieu to Engrossed Senate Bill No. 11 by Senator Dupre

AMENDMENT NO. 1

In House Committee Amendment No. 4 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 10, 2003, at the end of line 29, change "7:00" to "8:00"

AMENDMENT NO. 2

In House Committee Amendment No. 4 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 10, 2003, line 36, change "7:00" to "8:00"

On motion of Rep. Faucheux, the amendments were adopted.

Rep. Gallot sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Engrossed Senate Bill No. 11 by Senator Dupre

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 10, 2003, on page 1, line 2, after "insert" delete the remainder of the line and delete "1303(A)," and on line 3, insert "18:1303(A),"

AMENDMENT NO. 2

In House Committee Amendment No. 2 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 10, 2003, on page 1, line 9, after "in person;" delete the remainder of the line and delete line 10 and insert "to remove other"

AMENDMENT NO. 3

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 10, 2003, on page 1, line 21, after "insert" delete the remainder of the line and on line 22 delete "1303(A)," and insert "18:1303(A),"

AMENDMENT NO. 4

Page 40 HOUSE

41st Day's Proceedings - June 12, 2003

In House Committee Amendment No. 4 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 10, 2003, on page 1, delete lines 27 through 37 and on page 2, delete line 1

Motion

Rep. Jane Smith moved to end consideration of amendments.

Rep. Green objected.

By a vote of 53 yeas and 39 nays, the House agreed to end consideration of amendments.

Rep. Gallot moved the adoption of the amendments.

Rep. Montgomery objected.

By a vote of 33 yeas and 57 nays, the amendments were rejected.

Rep. Montgomery moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Powell
Alexander	Faucheux	Romero
Ansardi	Flavin	Salter
Baldone	Frith	Scalise
Baudoin	Fruge	Schneider
Beard	Futrell	Shaw
Bowler	Heaton	Smith, G.—56th
Bruce	Hill	Smith, J.D.—50th
Bruneau	Hopkins	Smith, J.H.—8th
Capella	Johns	Sneed
Carter, R	Katz	Stelly
Cazayoux	Kennard	Strain
Crane	Kenney	Thompson
Crowe	Lancaster	Toomy
Curtis	LeBlanc	Townsend
Damico	Martiny	Triche
Daniel	McVea	Tucker
Devillier	Montgomery	Waddell
Diez	Nevers	Walker
Downs	Odinet	Walsworth
Durand	Perkins	Winston
Erdey	Pinac	Wright
Fannin	Pitre	
Total—68		

NAYS

Alario	Hebert	Morrish
Arnold	Honey	Murray
Baylor	Hunter	Peychaud
Broome	Iles	Pierre
Carter, K	Jackson, L	Quezaire
Dartez	Jackson, M	Richmond
Gallot	LaFleur	Schwegmann
Glover	Landrieu	Swilling
Green	Lucas	Welch
Guillory	Morrell	
Total—29		

ABSENT

Doerge	Hudson	Smith, J.R.—30th
Downer	Hutter	Wooton

Hammett
Total—8

McDonald

The Chair declared the above bill was finally passed.

Rep. Montgomery moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Montgomery, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE BILLS

June 12, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 21
Returned without amendments.

House Bill No. 64
Returned without amendments.

House Bill No. 72
Returned without amendments.

House Bill No. 101
Returned without amendments.

House Bill No. 106
Returned with amendments.

House Bill No. 121
Returned with amendments.

House Bill No. 140
Returned with amendments.

House Bill No. 162
Returned without amendments.

House Bill No. 169
Returned without amendments.

House Bill No. 171
Returned with amendments.

House Bill No. 179
Returned with amendments.

House Bill No. 204
Returned without amendments.

House Bill No. 205
Returned without amendments.

House Bill No. 217
Returned with amendments.

House Bill No. 219
Returned with amendments.

House Bill No. 232
Returned with amendments.

House Bill No. 234
Returned with amendments.

House Bill No. 243
Returned with amendments.

House Bill No. 247
Returned with amendments.

House Bill No. 260
Returned without amendments.

House Bill No. 270
Returned without amendments.

House Bill No. 284
Returned without amendments.

House Bill No. 340
Returned with amendments.

House Bill No. 376
Returned without amendments.

House Bill No. 409
Returned with amendments.

House Bill No. 420
Returned with amendments.

House Bill No. 455
Returned without amendments.

House Bill No. 462
Returned without amendments.

House Bill No. 464
Returned without amendments.

House Bill No. 481
Returned without amendments.

House Bill No. 504
Returned without amendments.

House Bill No. 505
Returned without amendments.

House Bill No. 508
Returned without amendments.

House Bill No. 509
Returned without amendments.

House Bill No. 520
Returned with amendments.

House Bill No. 577
Returned without amendments.

House Bill No. 580
Returned without amendments.

House Bill No. 590
Returned with amendments.

House Bill No. 623
Returned with amendments.

House Bill No. 682
Returned without amendments.

House Bill No. 706
Returned with amendments.

House Bill No. 711
Returned with amendments.

House Bill No. 733
Returned with amendments.

House Bill No. 752
Returned without amendments.

House Bill No. 796
Returned without amendments.

House Bill No. 815
Returned without amendments.

House Bill No. 1968
Returned with amendments.

House Bill No. 2018
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 12, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 237
Returned without amendments.

House Concurrent Resolution No. 238
Returned without amendments.

House Concurrent Resolution No. 240
Returned without amendments.

House Concurrent Resolution No. 241
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 12, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 130, 133, and 136

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 130—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To establish the Office of Group Benefits Medicare Study Commission.

Read by title.

On motion of Rep. LeBlanc, and under a suspension of the rules, the above resolution was referred to the Committee on Appropriations, under the rules.

SENATE CONCURRENT RESOLUTION NO. 133—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact legislation to correct the flawed Medicare hospital outpatient prospective payment system methodology in order to ensure that all hospitals are appropriately reimbursed for drugs and biologics as well as to ensure beneficiary access to innovative biotechnology drugs.

Read by title.

On motion of Rep. Heaton, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 136—
BY SENATOR THOMAS

A CONCURRENT RESOLUTION

To urge and request the Department of Insurance, the Department of Health and Hospitals, the Department of Labor, the division of administration, the Department of Economic Development, and the Department of Social Services to work together in order to develop proposals and recommendations to increase private employer contributions for employee health insurance.

Read by title.

On motion of Rep. Strain, and under a suspension of the rules, the resolution was concurred in.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 12, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 10, 24, 39, 42, 62, 68, 84, 104, 110, 132, 141, 155, 171, 197, 199, 215, 232, 251, 252, 300, 301, 322, 336, 346, 355, 386, 407, 410, 413, 457, 458, 473, 497, 590, 625, 631, 648, 680, 748, and 773

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 122—

BY REPRESENTATIVES GALLOT AND FANNIN

A RESOLUTION

To express sincere and heartfelt condolences upon the death of the Honorable Leon H. Whitten of Jonesboro and to recognize his outstanding contributions to Jonesboro, to Jackson Parish, and the state of Louisiana.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 242—

BY REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To expresses the condolences of the Legislature of Louisiana upon the death of Mr. Charles Joseph "C. J." Watson.

Read by title.

On motion of Rep. Perkins, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 243—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To recognize the distinct group of legislators representing in whole or in part the parishes of St. Tammany, Tangipahoa, and Washington as the Northshore Legislative Delegation.

Read by title.

On motion of Rep. Crowe, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 244—

BY REPRESENTATIVES ODINET, HAMMETT, MARTINY, THOMPSON, AND WOOTON

A CONCURRENT RESOLUTION

To urge and request the governor to consider utilizing the Swanson Correctional Center for Youth-Madison Parish Unit at Tallulah, Louisiana, as an inpatient substance abuse treatment facility for persons presently incarcerated in state correctional facilities for offenses involving the operation of a vehicle while intoxicated.

Read by title.

On motion of Rep. Odinet, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 245—

BY REPRESENTATIVES BRUNEAU AND SCALISE

A CONCURRENT RESOLUTION

To commend Dr. Gregory M. St. L. O'Brien as he leaves his position as chancellor of the University of New Orleans, to recognize his myriad accomplishments and his remarkable contributions to the university, the city, and the state, and to extend to him the best wishes of the legislature as he embarks upon new challenges and endeavors.

Read by title.

On motion of Rep. Bruneau, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 246—

BY REPRESENTATIVES MURRAY AND ALARIO

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of R.S. 49:112, relative to payment of claims or debts against the state after ten years.

Read by title.

On motion of Rep. Murray, and under a suspension of the rules, the above resolution was referred to the Committee on Appropriations, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 247—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To urge and request the public postsecondary education management boards to use the authority granted each of them by R.S. 17:3351(A)(5)(b)(i) and establish, by not later than the Fall semester of the 2004-2005 academic year, tuition and mandatory attendance fee amounts applicable to nonresident students at institutions under their respective supervision and management that at least equal the average amount of annual tuition and

mandatory attendance fees for the ensuing fiscal year applicable to nonresident students, at institutions in states comprising the Southern Regional Education Board, excluding Louisiana, which are in the same category as established by the Southern Regional Education Board.

Read by title.

On motion of Rep. Crane, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

SENATE BILL NO. 33—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:291(P)(2) and 304(B) and to enact R.S. 38:291(P)(4), relative to the South Lafourche Levee District; to provide for membership of the board of commissioners; and to provide for related matters.

The conference committee reports for the legislative instruments above lie over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Commerce

June 12, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 11, 2003, I am directed by your Committee on Commerce to submit the following report:

House Concurrent Resolution No. 236, by Broome
Reported favorably. (9-0)

Senate Concurrent Resolution No. 100, by Hainkel
Reported favorably. (9-0)

Senate Concurrent Resolution No. 104, by Boissiere
Reported favorably. (9-0)

Senate Bill No. 90, by McPherson
Reported with amendments. (9-0) (Regular)

Senate Bill No. 400, by Fontenot
Reported favorably. (9-0) (Regular)

Senate Bill No. 421, by McPherson
Reported with amendments. (9-0) (Regular)

Senate Bill No. 437, by Cain
Reported with amendments. (8-0) (Regular)

Senate Bill No. 843, by McPherson
Reported favorably. (9-0) (Regular)

Senate Bill No. 909, by Cain
Reported favorably. (9-0) (Regular)

Page 44 HOUSE

41st Day's Proceedings - June 12, 2003

GIL J. PINAC
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Education

June 12, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the following report:

House Concurrent Resolution No. 235, by Crane
Reported favorably. (11-0)

House Bill No. 1657, by Honey
Reported with amendments. (10-0) (Regular)

CARL CRANE
Chairman

Suspension of the Rules

On motion of Rep. Crane, the rules were suspended in order to take up House Bills contained in the committee report at this time.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 1657—
BY REPRESENTATIVES HONEY, CURTIS, HUDSON, MORRELL AND
SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(x), (xi), and (xii); to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide applicability; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1657 by Representative Honey, et al.

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "to provide" change "17:3048.1(A)(1)(e)(x), (xi), and (xii);" to "17:3048.1(A)(1)(e) (introductory paragraph) and (xii);"

AMENDMENT NO. 2

On page 1, line 7, after "R.S." delete the remainder of the line and insert in lieu thereof "17:3048.1(A)(1)(e)(introductory paragraph) and (xii) are hereby"

AMENDMENT NO. 3

On page 2, line 9, after "Section" and before "has" delete the comma "," and insert "and through the 2006-2007 school year."

AMENDMENT NO. 4

On page 2, line 12, after "university." and before "For" insert the following:

"Except as otherwise provided by this Section and beginning with the 2007-2008 school year and thereafter, meets standards for admission to the desired college or university and has successfully completed at least seventeen and one-half units of high school course work as permitted by this Subparagraph which constitutes a core curriculum."

AMENDMENT NO. 5

On page 2, delete lines 24 through 26 and on page 3, delete lines 1 through 14

AMENDMENT NO. 6

On page 3, line 15, after "the" and before "school" change "2002-2003" to "2006-2007"

AMENDMENT NO. 7

On page 3, line 21, after "the" and before "school" change "2002-2003" to "2007-2008"

AMENDMENT NO. 8

On page 3, line 23, after "Applications" delete the remainder of the line and insert in lieu thereof "(one and one-half units; or substitute at least one and one-half units of"

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Report of the Committee on Health and Welfare

June 12, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Concurrent Resolution No. 188, by Durand
Reported favorably. (9-0)

House Concurrent Resolution No. 206, by Broome
Reported with amendments. (11-0)

Senate Concurrent Resolution No. 101, by Hines
Reported favorably. (9-0)

Senate Concurrent Resolution No. 129, by Hines
Reported favorably. (10-0)

Senate Bill No. 86, by Hines
Reported favorably. (11-0) (Regular)

Senate Bill No. 307, by Schedler
Reported with amendments. (9-0) (Regular)

Senate Bill No. 358, by McPherson
Reported with amendments. (10-0) (Regular)

Senate Bill No. 1132, by Hines (Duplicate of House Bill No. 2024)
Reported with amendments. (10-0) (Regular)

SYDNIE MAE DURAND
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 86, Senate Bill No. 358, and Senate Bill No. 1132, were referred to the Legislative Bureau.

Suspension of the Rules

On motion of Rep. Durand, the rules were suspended in order to take up and consider Senate Bills on Second Reading Reported by Committee at this time.

Senate Bills on Second Reading Reported by Committee

The following Senate Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

SENATE BILL NO. 86— BY SENATOR HINES

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.201, relative to the Louisiana Seniors Pharmacy Assistance Program; to provide definitions; to create the Louisiana Seniors Pharmacy Assistance Program; to provide for eligibility, services, denial, modification, and suspension or termination of services and an appeal procedure and judicial review; to provide for reimbursement and recovery of costs for services provided; to provide for the powers, duties, and responsibilities of the Department of Health and Hospitals including funding; to provide for annual reporting; to provide for promulgation of rules and regulations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Under the rules, the bill was recommitted to the Committee on Appropriations.

SENATE BILL NO. 358— BY SENATOR MCPHERSON

AN ACT

To enact R.S. 40:2116(G), relative to intermediate care facilities for the mentally retarded; to provide with respect to the facility need review provisions for facilities of a particular number of beds; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 358 by Senator McPherson

AMENDMENT NO. 1

On page 1, delete lines 12 and 13, and insert in lieu thereof "which serves children or adults suffering from mental retardation, autism, or behavioral problems, with no less than one"

AMENDMENT NO. 2

On page 1, line 14, change "seventy-five" to "eighty"

On motion of Rep. Durand, the amendments were adopted.

Under the rules, the bill, as amended, was recommitted to the Committee on Appropriations.

**SENATE BILL NO. 1132 (Substitute for Senate Bill No. 1108)—
BY SENATORS HINES, FIELDS, BAJOE, HOLDEN, B. JONES, MOUNT, SCHEDLER, CAIN, HOLLIS, JOHNSON, THOMAS, ULLO, BOISSIERE, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, GAUTREAUX, IRONS, LAMBERT, LENTINI, MARIONNEAUX, MCPHERSON, SMITH AND THEUNISSEN**

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Senior Rx Program; to provide definitions; to create the Louisiana Senior Rx Program; to provide for eligibility; to provide for the responsibilities of the office of elderly affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 1132 by Senator Hines

AMENDMENT NO. 1

R.S. 40:1300.195 is all proposed new law.

On page 4, line 7, after "independent" and before "community" insert "and chain"

On motion of Rep. Durand, the amendments were adopted.

Under the rules, the bill, as amended, was recommitted to the Committee on Appropriations.

Report of the Committee on House and Governmental Affairs

June 12, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 11, 2003, I am directed by your Committee on House and Governmental Affairs to submit the following report:

Senate Concurrent Resolution No. 58, by Holden
Reported with amendments. (8-0)

Senate Concurrent Resolution No. 71, by Schedler

Page 46 HOUSE

41st Day's Proceedings - June 12, 2003

Reported with amendments. (9-0)

Senate Bill No. 4, by McPherson
Reported with amendments. (11-0) (Regular)

Senate Bill No. 30, by Cain
Reported with amendments. (7-1) (Regular)

Senate Bill No. 128, by Theunissen
Reported with amendments. (8-0) (Regular)

Senate Bill No. 578, by Fontenot
Reported with amendments. (10-0) (Regular)

Senate Bill No. 593, by Schedler
Reported with amendments. (10-0) (Regular)

Senate Bill No. 687, by Ullo
Reported favorably. (10-0) (Regular)

Senate Bill No. 839, by Johnson
Reported favorably. (8-0) (Regular)

Senate Bill No. 882, by Malone
Reported with amendments. (8-0) (Regular)

Senate Bill No. 1010, by Chaisson
Reported favorably. (11-0) (Regular)

Senate Bill No. 1094, by Thomas
Reported with amendments. (9-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Municipal, Parochial and Cultural Affairs

June 12, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and
Cultural Affairs to submit the following report:

Senate Bill No. 262, by Mount
Reported favorably. (8-0-1) (Regular)

Senate Bill No. 736, by C.D. Jones
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 836, by McPherson
Reported with amendments. (7-1) (Regular)

Senate Bill No. 1008, by McPherson
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 1101, by Holden
Reported favorably. (7-0-1) (Regular)

SHARON WESTON BROOME
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

June 12, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following
report:

Senate Bill No. 72
Reported without amendments.

Senate Bill No. 77
Reported without amendments.

Senate Bill No. 98
Reported without amendments.

Senate Bill No. 202
Reported without amendments.

Senate Bill No. 207
Reported without amendments.

Senate Bill No. 235
Reported without amendments.

Senate Bill No. 281
Reported without amendments.

Senate Bill No. 295
Reported without amendments.

Senate Bill No. 303
Reported without amendments.

Senate Bill No. 304
Reported without amendments.

Senate Bill No. 398
Reported without amendments.

Senate Bill No. 424
Reported without amendments.

Senate Bill No. 425
Reported with amendments.

Senate Bill No. 426
Reported without amendments.

Senate Bill No. 427
Reported without amendments.

Senate Bill No. 477
Reported without amendments.

Senate Bill No. 480
Reported without amendments.

Senate Bill No. 481
Reported without amendments.

Senate Bill No. 502
Reported without amendments.

Senate Bill No. 508
Reported without amendments.

Senate Bill No. 511
Reported without amendments.

Senate Bill No. 522
Reported with amendments.

Senate Bill No. 552
Reported without amendments.

Senate Bill No. 602
Reported without amendments.

Senate Bill No. 603
Reported without amendments.

Senate Bill No. 627
Reported without amendments.

Senate Bill No. 636
Reported without amendments.

Senate Bill No. 660
Reported without amendments.

Senate Bill No. 706
Reported without amendments.

Senate Bill No. 728
Reported without amendments.

Senate Bill No. 761
Reported without amendments.

Senate Bill No. 801
Reported without amendments.

Senate Bill No. 867
Reported without amendments.

Senate Bill No. 963
Reported without amendments.

Senate Bill No. 986
Reported without amendments.

Senate Bill No. 1027
Reported without amendments.

Senate Bill No. 1031
Reported without amendments.

Senate Bill No. 1035
Reported without amendments.

Senate Bill No. 1076
Reported without amendments.

Senate Bill No. 1090
Reported without amendments.

Senate Bill No. 1110
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

Privileged Report of the Committee on Enrollment

June 12, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 119— BY REPRESENTATIVES PINAC AND DEWITT **A RESOLUTION**

To express the sincere and heartfelt condolences of the House of Representatives upon the death of Camile Adam of Lyons Point.

HOUSE RESOLUTION NO. 120— BY REPRESENTATIVES HUNTER AND WALSWORTH **A RESOLUTION**

To express sincere and heartfelt condolences upon the death of civil rights attorney James Sharp, Jr., and to recognize his contributions to the city of Monroe, to Ouachita Parish, and to the state of Louisiana.

HOUSE RESOLUTION NO. 121— BY REPRESENTATIVE CROWE **A RESOLUTION**

To recognize and commend Tim Floyd on his selection as the head coach of the New Orleans Hornets Basketball Team.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 12, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 230— BY REPRESENTATIVE FUTRELL AND SENATOR DARDENNE **A CONCURRENT RESOLUTION**

To recognize October 1, 2003, as World Peace Day in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 234— BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PEYCHAUD, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WELCH, WINSTON,

WOOTON, AND WRIGHT AND SENATORS ADLEY, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To commend Staff Sergeant Michael McNaughton for his extraordinary service and great sacrifice for his country while serving during Operation Enduring Freedom.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 12, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 10—

BY REPRESENTATIVES NEVERS, BRUCE, AND SCHNEIDER
AN ACT

To amend and reenact R.S. 14:93.3(E), relative to cruelty to the infirmed; to provide for increased penalties for second or subsequent convictions; and to provide for related matters.

HOUSE BILL NO. 139—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and (H), relative to the civil jurisdiction of the City Court of Lake Charles; to increase the jurisdictional amount of the court; and to provide for related matters.

HOUSE BILL NO. 484—

BY REPRESENTATIVE JOHN SMITH AND SENATOR CAIN
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(I), relative to the civil jurisdiction of the City Court of Leesville; to increase the jurisdictional amount of the court; and to provide for related matters.

HOUSE BILL NO. 809—

BY REPRESENTATIVE GUILLORY
AN ACT

To amend and reenact R.S. 33:120.8, relative to the Calcasieu Parish Planning and Zoning Board; to increase the maximum per diem authorized to be paid to such members for attending board meetings and to reduce the number of board meetings for which per diem may be paid; and to provide for related matters.

HOUSE BILL NO. 824—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 23:102(E), relative to employment agencies; to exempt employer-fee-paid employment services from current provisions on private employment services; to exempt employer-fee-paid employment services from testing, licensing, and bonding requirements; and to provide for related matters.

HOUSE BILL NO. 852—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 25:1222(A) and 1223(A)(1), relative to the Atchafalaya Trace Commission and the Atchafalaya Trace Heritage Area; to include Ascension Parish within the boundaries of the trace area; to increase the membership of the commission; and to provide for related matters.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 16:15(C) and (F), relative to fees a district attorney may charge for collection on worthless or forged checks, drafts, or orders; to increase the fees based on the amount of the worthless or forged check, draft, or order; to increase the fee the district attorney is required to charge on behalf of the person or entity that honored the worthless or forged check, draft, or order; and to provide for related matters.

HOUSE BILL NO. 886—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 30:2066, relative to fees paid to the Department of Environmental Quality; to authorize fees paid by major sources of air contaminants in severe and extreme ozone nonattainment zones; to provide for the annual adjustment of such fees; to provide for definitions; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 923—

BY REPRESENTATIVES HUNTER, WALSWORTH, KATZ, AND THOMPSON
AN ACT

To enact R.S. 33:4561.1, relative to naming a civic center theater; to authorize the governing authority in certain municipalities to name a civic center theater in honor of a former living mayor of the municipality; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 965—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 47:1922(E), relative to the Insurance Committee of the Assessors' Insurance Fund; to change the membership of the committee; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 981—

BY REPRESENTATIVE STRAIN
AN ACT

To amend and reenact R.S. 9:4751(2), relative to dieticians; to include "dietician" in a certain definition of "health care provider"; and to provide for related matters.

HOUSE BILL NO. 1089—

BY REPRESENTATIVE MCVEA
AN ACT

To amend and reenact R.S. 13:966.1(B), relative to court reporters for the Twentieth Judicial District Court, comprised of the parishes of East and West Feliciana; to provide for the annual salary of court reporters; and to provide for related matters.

HOUSE BILL NO. 1124—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 38:3087.114(A) and (B), relative to the Black River Lake Recreation and Water Conservation District; to increase the membership of the board of commissioners; to provide for terms; and to provide for related matters.

HOUSE BILL NO. 1127—

BY REPRESENTATIVE LANDRIEU

AN ACT

To enact R.S. 33:9091.6, to create the Upper Hurstville Security District in the parish of Orleans; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to taxes or fees to be levied and collected in the district; and to provide for related matters.

HOUSE BILL NO. 1133—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:433(F), relative to oysters; to provide for a minimum size applicable throughout the year; and to provide for related matters.

HOUSE BILL NO. 1155—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:432 and to enact R.S. 56:427(E), relative to oyster leases; to provide for limits on the number of acres which can be leased by one person and the maximum number of acres for which application may be made; and to provide for related matters.

HOUSE BILL NO. 1156—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:430.1(A), relative to oyster production; to remove the requirement for the leaseholder to submit certain information to the Department of Wildlife and Fisheries; and to provide for related matters.

HOUSE BILL NO. 1167—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:424(G), relative to the harvest of oysters; to require a vessel monitoring system to be used by any person who obtains from the Department of Wildlife and Fisheries a permit to land oysters outside the state; and to provide for related matters.

HOUSE BILL NO. 1273—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 56:106, relative to hunting field trials; to provide relative to notice requirements for a nonresident participating in a field trial to be exempt from the requirement for a hunting license; and to provide for related matters.

HOUSE BILL NO. 1315—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 32:432(A) and to enact R.S. 32:414(P) and 432(C) and R.S. 47:296.2, relative to individual income tax; to suspend drivers' licenses for failure to pay individual income tax; to deny the renewal of drivers' licenses for failure to pay individual income tax; to provide for promulgation of rules; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1333—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 35:409, relative to ex officio notaries; to provide for the appointment of ex officio notaries for university police departments; to provide for the exercise of authority; to provide for compensation; to provide for the authority of the chief of police of the university to suspend or terminate the appointment; and to provide for related matters.

HOUSE BILL NO. 1355—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 23:1168(D)(1), relative to workers' compensation; to provide for pro rata payment of outstanding claims; to provide for promulgation of rules by the director; and to provide for related matters.

HOUSE BILL NO. 1644—

BY REPRESENTATIVES GUILLORY AND MURRAY

AN ACT

To enact R.S. 23:1541.1, relative to unemployment compensation; to provide for an appellate procedure for chargeability determinations; to provide for the issuance of a determination of chargeability; to provide for notice of determination; to provide for review by the administrator; to provide for judicial review; and to provide for related matters.

HOUSE BILL NO. 1645—

BY REPRESENTATIVES GUILLORY AND MURRAY

AN ACT

To amend and reenact R.S. 23:1541(5)(a), relative to unemployment compensation; to repeal the limit on employer contributions to a portion of benefits charged; to authorize payment of contributions in any amount to an employer's experience-rating account; and to provide for related matters.

HOUSE BILL NO. 1646—

BY REPRESENTATIVES GUILLORY AND MURRAY

AN ACT

To amend and reenact R.S. 23:1634(A), relative to unemployment compensation judicial review; to provide a venue for appeals for out- of-state unemployment compensation claimants; and to provide for related matters.

HOUSE BILL NO. 1647—

BY REPRESENTATIVES GUILLORY AND MURRAY

AN ACT

To amend and reenact R.S. 23:1539(A), relative to unemployment contributions; to clarify that employees shall be considered assets of a business when determining if an acquisition has occurred; and to provide for related matters.

HOUSE BILL NO. 1648—

BY REPRESENTATIVES GUILLORY AND MURRAY

AN ACT

To amend and reenact R.S. 23:1669(C), relative to unemployment compensation; to provide that a flat contingency fee be paid to collection attorneys; and to provide for related matters.

HOUSE BILL NO. 1671—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 38:226, relative to permits for levee crossings; to require the executive or administrative officer of the board or commission of a levee district to issue permits or letters of no objection to levee crossings when the crossing is approved by the United States Army Corps of Engineers and the Department of Transportation and Development, office of public works; to require the executive

or administrative officer of the board or commission to enforce such permits for levee crossings relative to certain conditions and stipulations; and to provide for related matters.

HOUSE BILL NO. 1894—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 56:302.9.1(A), relative to charter boat licenses; to provide that such licenses are required only for motorized vessels; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Durand, the rules were suspended to permit the Committee on Health and Welfare to meet upon adjournment on Thursday, June 12, 2003, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Concurrent Resolution No. 143

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended to permit the Committee on Appropriations to meet on Monday, June 16, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 1670

Senate Bill Nos. 61, 86, 326, 358, 594, and 1132

Senate Concurrent Resolution No. 130

Leave of Absence

Rep. Doerge - 1 day

Adjournment

On motion of Rep. Tucker, at 5:45 P.M., the House agreed to adjourn until Monday, June 16, 2003, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, June 16, 2003.

ALFRED W. SPEER
Clerk of the House